

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY ,THE TWENTY THIRD DAY OF FEBRUARY TWO THOUSAND AND
TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 9857 OF 2022

Between:

Nilofher Begum, W/o Late Yousuf Miya Shaik

Petitioner

AND

1. The State of Telangana, Represented by the Principal Secretary Revenue Dept. Secretariat, Hyderabad
2. The District Collector, Sanga Reddy District
3. The Additional Collector, Revenue Sanga Reddy District
4. The Revenue Divisional Officer, Zaheerabad Mandal, Sanga Reddy District
5. The Tahsildar, Zaheerabad Mandal, Sanga Reddy District
6. The Assistant Director, (Survey and Land Record) Sangareddy District
7. The Deputy Inspector, (Land Survey) Zaheerabad Division Sangareddy District
8. The Mandal Surveyor, Zaheerabad Mandal Sanga Reddy District
9. Byrraju Srinivas Raju, S/o Late Surpa Raju Aged about 54 years, occ. Business R/o H.No. 1-33-174/5, EWS 44/1 K.P.H.B. Colony Hyderabad, Telangana State

Respondents

WHEREAS the Petitioner above named through her Advocate SRI V MURALI MANOHAR presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to grant an order or direction more so in the nature of writ of Mandamus declaring the action of the Respondent No.7 in conducting survey without putting the Petitioners to notice and in violation of Section 9 and 10 of the Telangana Survey and Boundaries Act, 1923 , in violation the order of this Hon'ble Court in WP No. 26672 of 2021 dated 26.10.2021 and consequently set aside the survey report dated 01.02.2022;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V MURALI MANOHAR Advocate for the Petitioner, directed issue of notice to the Respondent 9 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Byrraju Srinivas Raju, S/o Late Surpa Raju Aged about 54 years, occ. Business R/o H.No. 1-33-174/5, EWS 44/1 K.P.H.B. Colony Hyderabad, Telangana State

are directed to show cause on or before 30/03/2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the survey report dated 01.02.2022 made by Respondent No.5 and 7, pending disposal of WP No. 9857 of 2022, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Issue notice to respondent No.9.

Personal notice is permitted.

Petitioner claims to be owner and possessor of land in Survey No.126/57 admeasuring Ac.13-04 guntas situated at Govindpur village, Zaheerabad mandal, Sangareddy district having purchased the same under registered sale deed document No.2978 of 1994 dated 14.12.1994. The name of the petitioner was mutated in the revenue records and pattadar passbook was also issued in her favour.

Pursuant to the order dated 26.10.2021 passed by this Court in W.P.No.26672 of 2021, impugned survey was conducted. The learned counsel for petitioner submitted that in the said order, this Court clearly directed that before undertaking any survey, the authorities shall put the neighbouring land owners on notice. It is pointed out by the learned counsel that about 25 names of adjoining land owners were shown in the panchanama, however, notices were issued to only few of them and surprisingly, the petitioner herein who is the adjacent land owner in Survey No.126/57 was not issued with any notice.

Perused the record.

The impugned survey was conducted in respect of land in Survey No.126/55 and 56 as evident from the panachanama dated 1.2.2022. Petitioner who claims to be owner of adjacent land in Survey No.126/57, should have been put on notice before conducting any survey. In view of the specific assertion of the petitioner that no notice was issued to her, the impugned survey report dated 1.2.2022 of respondents 5 and 7 shall remain suspended until further orders.

Post on 30.3.2022.

//TRUE COPY//

**SD/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary Revenue Dept. State of Telangana, Secretariat, Hyderabad
2. The District Collector, Sanga Reddy District
3. The Additional Collector, Revenue Sanga Reddy District
4. The Revenue Divisional Officer, Zaheerabad Mandal, Sanga Reddy District
5. The Tahsildar, Zaheerabad Mandal, Sanga Reddy District
6. The Assistant Director, (Survey and Land Record) Sangareddy District
7. The Deputy Inspector, (Land Survey) Zaheerabad Division Sangareddy District
8. The Mandal Surveyor, Zaheerabad Mandal Sanga Reddy District (1 to 8 by RPAD)
9. Byrraju Srinivas Raju, S/o Late Surpa Raju Aged about 54 years, occ. Business R/o H.No. 1-33-174/5, EWS 44/1 K.P.H.B. Colony Hyderabad, Telangana State (by RPAD along with a copy of petition and affidavit)
10. One CC to SRI. V MURALI MANOHAR Advocate [OPUC]
11. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
12. One spare copy

HIGH COURT

BVRJ

DATED:23/02/2022

Post on 30-03-2022

NOTICE BEFORE ADMISSION

WP.No.9857 OF 2022

INTERIM SUSPENSION

