

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
(Special Original Jurisdiction)**

**TUESDAY, THE SIXTEENTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**WRIT PETITION NO: 19238 OF 2024**

**Between:**

1. Sri Tirumala Cloth Store, Rep. by its Proprietor Gande Suresh, H.No.9-117, Main Road, Chegunta, Chegunta Mandal, Medak District, Telangana State - 502 255.
2. Gande Suresh, S/o. G. Anjaiah, Aged about 48 years, Occ. Business, R/o H.No.9-117, Main Road, Chegunta, Chegunta Mandal, Medak District, Telangana State - 502 255.
3. Thodupunoori Suresh, S/o T. Narsimhulu, Aged about 48 years, Occ. Business, R/o H.No.8-16/1, Chegunta, Chegunta Mandal, Medak District, Telangana State - 502 255

**...PETITIONERS**

**AND**

1. Union of India, represented by its Secretary, Finance Department, New Delhi.
2. Union Bank of India, ARB Branch, Hyderabad rep. by its Authorized Officer, 249/3RT, 1st Floor, Main Road, S.R. Nagar, Hyderabad - 500 038
3. Branch Manager, Union Bank of India, Chegunta Branch, Medak District

**...RESPONDENTS**

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 issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of respondents in filing CrI.M.P. 14/2024 before the Chief Judicial Magistrate cum Principal, District and Sessions Judge, at Medak appointing Advocate Commissioner for the purpose of Vacating the Petitioner No.2 from the property bearing H.No.9-117, Ground and First Floor, Ward No.9, Admeasuring 104 Sq.Yds situated at Chegunta Village and Mandal, Medak District, Telangana and bounded by East. National High Way No.7, West.

Varasamdi, North. House and Shop of Dhontireddy Ram Reddy, South. House and Shop of Shambuni Satyam, which is a common place for his business and residence thereby issued notice on 01/07/2024 to the Petitioner No.2 to Vacate the Premises within 15 days (i.e., by 15/07/2024) after issuing Sale Notice against which S.A. No. 127/2024 filed by the Petitioner No.2 before the DRT-I, Hyderabad, is pending, and when Petitioner No.2 already deposited Rs.16,18,000/- and submitted OTS Proposal for settlement as illegal, arbitrary and unlawful.

**IA NO: 1 OF 2024**

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 stay of all further proceedings in respect of property bearing F.No.9-117, Ground and First Floor, Ward No.9, Admeasuring 104 Sq.Yds situated at Chegunta Village and Mandal Medak District, Telangana and bounded by East. National High Way No.7. West. Varasamdi. North. House and Shop of Dhontireddy Ram Reddy. South. House and Shop of Shambuni Satyam. including execution of Vacate Notice dated 01/07/2024 issued in connection with Commissioner's Warrant in CrI.M.P. No. 14/2024 on the file of the Chief Judicial Magistrate cum Principal District and Sessions Judge, at Medak pending disposal of Writ Petition.

**Counsel for the Petitioner: SRI Dr. C.S.CHAKRAVARTHY**

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR,  
Dy. SOLICITOR GEN. OF INDIA**

**Counsel for the Respondent No.2 & 3: SRI V.MURALI MANCHAR, REP. FOR  
M/s. V.DYUMANI**

**The Court made the following: ORDER**

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

**WRIT PETITION No.19328 OF 2024**

**ORDER:**

Heard Sri Akkam Eshwar, learned counsel for the petitioner and Sri Somu Srinivasa Reddy, learned Asst.Govt.Pleader for Revenue.

2. According to the petitioner, it is the absolute owner of the land admeasuring Ac.1.29.75 guntas in Sy.No.382/2 situated at Nizampet Village, Bachupally Mandal, Medchal-Malkajgiri District. In proof of the same, it has filed a copy of the latest passbook and title deed. It has filed F-line application ID No.TTDER022401013982, dated 05.02.2024 with a request to conduct survey. The respondents 5 and 6 have conducted survey vide F.No.185 of 2024, dated 26.04.2024. Feeling aggrieved by the said survey, the petitioner filed an appeal before the 3<sup>rd</sup> respondent as per Circular Rc.No.N1/6543/1999, dated 25.07.2021 with a request to conduct survey afresh. 3<sup>rd</sup> respondent in turn requested 4<sup>th</sup> respondent to conduct survey afresh. Therefore, 4<sup>th</sup> respondent has issued notice in F.No.F/820/2024 in the month of June, 2024 proposing to conduct survey on 29.06.2024. The survey was not

conducted. Therefore, the petitioner has also submitted a representation dated 04.07.2024 to conduct survey afresh. But they did not conduct survey.

3. With regard to demarcation of land the guidelines issued vide Circular No.N1/6543/99, dated 25.07.2007 are as follows:-

- i. The demarcation of land being the primary and the only duty of the Mandal Surveyors, petitions for demarcation of boundaries from the private parties shall be entertained by the concerned Mandal Revenue Officers only and Mandal Surveyors shall conduct demarcation after written approval of the MROs concerned as per BSO and Mandal pattern of administration.
- ii. Aggrieved by the proceedings of the Mandal Surveyors, parties may file first appeal if so desired before the Revenue Divisional Officer for the demarcation by the Deputy Inspector of Surveys of concerned Revenue Division. Thus, the Revenue Divisional Officer shall entertain the first appeal only and Deputy Inspector of Surveyors shall conduct the demarcation after approval in writing by the Revenue Divisional Officer concerned.

4. Learned Asst.Govt.Pleader for Revenue has produced written instructions of Tahsildar, Bachupally Mandal wherein it is stated that the Mandal Surveyor has issued a notice for conducting survey in respect of the land in Sy.No.382/2 situated Nizampet Village and Mandal and survey was also conducted and report was submitted to the petitioners along with F.No.E/185/2024.

5. Thus, it is relevant to note that the petitioner has submitted survey report to 3<sup>rd</sup> respondent. The said written instructions are placed on record.

6. In the light of the aforesaid discussion, this writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider the Appeal filed by the petitioner as per Circular Rc.No.N1/6543/1999, dated 25.07.2021 vide online payment receipt ID.No. TTAOD 022400061827, dated 27.04.2024 strictly in accordance with law. The 4<sup>th</sup> respondent shall conduct survey pursuant to notice in File No.820/2024 and submit report to the 3<sup>rd</sup> respondent. The 3<sup>rd</sup> respondent shall pass a reasoned order and communicate a copy of the said order to the petitioner. He shall complete the said exercise within a period of six (6) weeks from the date of receipt of a copy of this order.

As a sequel thereto, miscellaneous Petitions, if any, pending, shall also stand closed. There is no order as to costs.

//TRUE COPY//

SD/-K.AMMAJI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

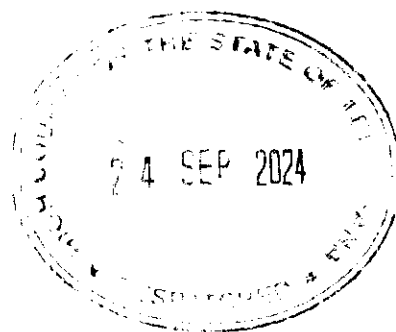
1. The Secretary, Finance Department, New Delhi, Union of India.
2. The Authorized Officer, Union Bank of India, ARB Branch, Hyderabad, 249/3RT, 1st Floor, Main Road, S.R. Nagar, Hyderabad - 500 038
3. The Branch Manager, Union Bank of India, Chegunta Branch, Medak District
4. One CC to SRI Dr. C.S.CHAKRAVARTHY, Advocate [OPUC]
5. One CC to M/s. V.DYUMANI, Advocate [OPUC]
6. One CC to SRI GADI PRAVEEN KUMAR, Dy. SOLICITOR GEN. OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
7. Two CD Copies

**HIGH COURT**

**DATED: 16/07/2024**

**ORDER**

**WP.No.19238 of 2024**



**DISPOSING OF THE WRIT PETITION,  
WITHOUT COSTS**

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03/9/2024