

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

FRIDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 2 OF 2025

Between:

P.Balaji, S/o Late P. Nageswara Rao, Aged 40 years, Occ ; Business, R/o 103-CZ Block, Aditya Sunshine, Kondapur, Ranga Reddy District.

.....PETITIONER

AND

1. The State of Telangana, Rep.by.its Principal Secretary, Revenue Department. Secretariat, Hyderabad.
2. The Thasildar, Bachupally, Bachupally Mandal. Madchal Malkajgiri District.
3. The Assistant Director, Survey and Settlement Records Department Medchal-Malkajgiri District.
4. The Mandal Surveyor, Bachupally Mandal, Medchal-Malkajgiri District.
5. Shakhamuri Aileshwar Rao Chowdary,, S/o. Late Venkateswara Rao Chowdary, Aged shout 52 years, Occ. Business, R/o. HIG-497, Flat No. 103, 6th phase, KPHB Colony, Kukatpally, Telangana State.
6. Smt Shakhamuri Laxmi Radhika, W/o. S Aileshwar Rao, Aged about 49 years, Occ. Housewife, R/o. HIG-497, Flat No. 103, 6th phase, KPHB Colony, Kukatpally, Telangana.

.....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 an appropriate writ or direction, more particularly a Writ in the nature of Mandamus to declare the in-action of the respondent No.2 to 4 in conducting the survey and demarcating the boundaries in respect of the schedule property i.e., Plot bearing No. 74 admeasuring 206 Sq yards or 172.22 Sq.Mts., in Sy. No.90/CD and 94 part, situated at Nizampet Village and Grampanchayut,

Qutubillahpur Mandal, Ranga Reddy District pursuant to the F-Line application dated 30.08.2022 is illegal, arbitrary and unconstitutional and consequently direct the respondent No's 2 to 4 to conduct survey and demarcate the schedule property ie., Plot bearing No. 74 admeasuring 206 Sq yards or 172.22 Sq.Mts., in Sy. No.90/CD and 94 part, situated at Nizampet Village and Grampanchayut, Qutubillahpur Mandal, Ranga Reddy District pursuant to the F-Line application vide Application No.DER022200857590 date 28-10-2022.

I.A.NO:1 OF 2025

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 issue interim directions to the respondent No.2, 3 and 4 to forthwith conduct the survey and demarcate the schedule property i.e Plot bearing No. 74 admeasuring 206 Sq yards or 172.22 Sq.Mts., in Sy. No.90/CD and 94 part, situated at Nizampet Village and Grampanchayut, Qutubillahpur Mandal, Ranga Reddy District pursuant to the F-Line application vide Application No.DER022200857590 date 28-10-2022 pending disposal of the writ petition.

Counsel for the Petitioner : SRI.RAJAGOPALLAVAN TAYI

Counsel for the Respondent Nos.1 to 4 : AGP FOR REVENUE

Counsel for the Respondent Nos.5 & 6 : --

The Court made the following ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.2 of 2025

ORDER:

This writ petition is filed praying this Court to declare the action of respondent Nos.2 to 4 in not considering the F-Line application, dated 28.10.2022 submitted by the petitioner to conduct the survey and demarcation of the plot No.74 to an extent of 206 square yards or 172.22 square meters, situated in Sy.No.90/CD and 94 Part situated at Nizampet Village and Gram Panchayat, Qutubullapur Mandal, Ranga Reddy District, as illegal, arbitrary and unconstitutional and ~~and~~ consequently prayed this Court to direct the respondent Nos.2 to 4 to consider the F-Line application, dated 28.10.2022 and for other appropriate reliefs.

2. It is stated that the mother of the petitioner had purchased plot No.74 to an extent of 206 square yards or 172.22 square meters, situated in Sy.No.90/CD and 94 Part situated at Nizampet Village and Gram Panchayat, Qutubullapur Mandal, Ranga Reddy District, under registered sale deed bearing document No.489 of 2006, dated 06.01.2006. A careful examination of the sale deed bearing document No.489 of 2006, reveals that the mother petitioner has purchased open plot located in various survey numbers. It is not the case of the petitioner that the property

purchased by his mother is agricultural land and that she paid stamp duty or registration fees on acre basis. The schedule of property in the sale deed establishes that the nature of the property is an open plot, admeasuring 206 square yards. It is settled law that the Survey Department has the authority to conduct survey and demarcate lands in accordance with the provisions of the Telangana Land Revenue Act, 1317 Fasli (Act No. VIII of 1317 Fasli), the Telangana Survey and Boundaries Act, 1923, and the Rules framed thereunder. The Government has issued various circulars specifying the conditions for conducting surveys, particularly F-Line (field measurement) surveys. Individuals requesting such surveys are required to submit specific documents, and if the conditions stipulated in the circulars are fulfilled, the survey and boundary fixation may be conducted. The Commissioner, Survey, Settlements, and Land Records, exercising powers under the Telangana Survey and Boundaries Act, 1923, issued relevant circulars from time to time vide Rc.No.N1/6543/99, dated 25.07.2001, Rc.No.N1/1408/07, dated 13.07.2007, and Rc.No.N2/1741/2010, dated 18.05.2010 stipulating the conditions for conducting survey of private lands. The said Circulars outline that only agricultural lands are eligible for survey by the Survey Department. In contrast, individuals

owning plots within approved layouts, municipalities, Gram Panchayats, or Municipal Corporations are required to engage Licensed Surveyors appointed by the Government for such surveys, as these lands are no longer considered agricultural. In the instant case, the petitioner's land is clearly identified as open plots but not agricultural land. Since the petitioner's property is not an agricultural land, the Survey Department has no jurisdiction to conduct F-Line Survey as per the Circulars issued by the Commissioner, Survey, Settlements, and Land Records. For the aforesaid reasons, this Writ Petition is devoid of merits. However, the petitioner is at liberty to take the services of licensed surveyor for conducting the survey of his property i.e, open plot, if he is so advised.

3. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

4. As a sequel, the miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The Principal Secretary, Revenue Department. Secretariat, State of Telangana at Hyderabad.
2. The Thasildar, Bachupally, Bachupally Mandal. Madchal Malkajgiri District.
3. The Assistant Director, Survey and Settlement Records Department Medchal-Malkajgiri District.
4. The Mandal Surveyor, Bachupally Mandal, Medchal-Malkajgiri District.
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI RAJAGOPALLAVAN TAYI, Advocate [OPUC]
7. Two CD Copies

SA
GJP



HIGH COURT

DATED:03/01/2025

ORDER

WP.No.2 of 2025



**DISPOSING OF THE W.P
WITHOUT COSTS.**

(10)
by
30/1/25