

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.38256 of 2015

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Dated 25th November, 2015

Between:

G.Varalakshmi and others

...Petitioners

And

State of Andhra Pradesh rep.by its Principal Secretary to Government, Municipal
Administration & Urban Development Department, Secretariat, Hyderabad and
another

...Respondents

Counsel for the petitioners: Sri K.Srinivasa Rao

Counsel for respondent No.1: GP for Municipal Administration (AP)

The Court made the following:

ORDER:

This writ petition is filed feeling aggrieved by condition No.17 of Endorsement
bearing B.A.No.13851/2015/ACP-I, dated 26.10.2015, of respondent No.2, whereby

the petitioners are required to produce non-agricultural land use certificate from the Revenue Divisional Officer, Visakhapatnam.

At the hearing, Sri S.Lakshmi Narayana Reddy, learned Standing Counsel for GVMC appearing for respondent No.2, placed before the Court a Division Bench of this Court, dated 28.08.2015, in W.A.No.702 of 2010 and batch, wherein it is *inter alia* held that conversion of land into non-agricultural use under the provisions of the Andhra Pradesh Agricultural (Conversion for Non-Agricultural Purposes) Act, 2006 is necessary even if the land is covered by the master plan and sanction of layout by the Development Authority under the provisions of the Andhra Pradesh Urban Areas (Development) Act, 1975.

In view of this authoritative pronouncement, the petitioners are under legal obligation to obtain NOC as required by respondent No.2. Hence, no exception can be taken to the impugned condition. Therefore, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.49237 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

25th November, 2015

VGB