

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.18742 of 2015

DATED : 07.10.2015

Between :

N. Rajendra Prasad S/o.N. Satyanarayana,

Aged about 45 yrs, R/o.Flat No.305,

Intech Residency, Opp : KGN Xerox,

Kairathabad, Hyderabad.

.. Petitioner

and

Town & Country Planning,

rep., by its Regional Deputy Director,

79-02-04/1, Tilak Road,

Rajahmundry, East Godavari District & others

.. Respondents

This court made the following :

THE HON’BLE SRI JUSTICE P.NAVEEN RAO

-

-

WRIT PETITION No.18742 of 2015

-

ORDER :

In this writ petition, petitioner is aggrieved by the insistence of Clearance/No

Objection Certificate (NOC) from the revenue authorities for conversion of agricultural land into non- agricultural purpose under the Andhra Pradesh Agricultural (Conversion for Non-Agricultural Purposes) Act, 2006 (for short, 'the Act, 2006').

2. When the matter is taken up for consideration, learned counsel for petitioner as well as learned counsel for respondents represent that the subject matter of this writ petition is covered by the decision of the Division Bench of this Court in W.A.No.702/2010 and batch, dated 28.08.2015. The Division Bench upheld the decision of the learned single Judge in the common order dated 28.04.2010 in W.P.No.26688 of 2007 and batch. The Division Bench passed the following order:

i) It shall be competent for the Urban Development Authorities or the Local Authorities, as the case may be, to insist on submission of clearance/permission under the 2006 Act as a condition precedent for releasing of layouts;

ii) the land has been put to non-agricultural use before the 2006 Act came into force, such clearance/permission shall not be insisted; and

iii) Conversion of the land into Non-agricultural use under the provisions of Act 3 of 2006 is necessary even if the land is covered by Master Plan and sanction of layout by the Development Authority under the provisions of Act 1 of 1975.

3. Following the same, this writ petition is also disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

_____ **P.NAVEEN RAO,J**

07th October, 2015.

Rds

