

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 20037 of 2011

ORDER:

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The present Writ Petition is filed seeking to declare the inaction of the second respondent in issuing 'No Objection Certificate' (for short, 'the N.O.C.') in favour of the petitioner's agricultural land admeasuring Ac.1.00 cents in Survey No.492/2, situated at Gannavaram Village, Krishna District, as illegal and arbitrary and consequently direct the respondents to issue N.O.C. to the petitioner's land.

It is the case of petitioner that he is the owner and possessor of the land in Survey No.492/2, situated at Gannavaram Village, Krishna District, having obtained the same in the year 1970 from its original owner (grand mother of the petitioner), who purchased it by way of registered sale deed. It is stated that the Airport Authorities acquired the land admeasuring Acs.1000.00 cents from the surrounding villages for the purpose of Gannavaram Airport, utilized only 500 acres out of it and returned the remaining land to the owners, who are cultivating the said property. The petitioner is one amongst them. Thereafter, the Airport Authorities constructed compound wall around the Airport and the petitioner's land is now located outside the said compound wall. It is submitted that pursuant to the said acquisition of land by the Airport Authorities, the nature of land in revenue records had been mutated as 'Airport land'. The petitioner's land has not been re-mutated as 'Airport released land' and the names of the erstwhile existing owners were not

entered in the revenue records. It is stated that some of the land lords of the said released land admeasuring Acs.500.00 cents approached the revenue authorities, obtained N.O.C., re-mutated their names and made transactions over the property. But the second respondent has not issued N.O.C. to the petitioner's land, even though the third respondent had forwarded the proposals in the year 2007 and 2009 and as such, the said proposals are pending consideration with the second respondent. The petitioner made a fresh representation, dated 09.05.2011, to the second respondent for issuance of N.O.C. and the same was forwarded by the second respondent to the third respondent for initiation of necessary action, pursuant to which, the third respondent issued endorsement on 18.05.2011, stating that already proposals had been sent to the second respondent in the year 2007 and 2009 and that the second respondent has not taken further action of issuing pattadar pass books in favour of the petitioner's land. Hence, the present Writ Petition.

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

Without going into the merits of this case and having regard to the circumstances stated above, the second respondent is directed to pass orders in accordance with law with regard to the endorsement sent by the third respondent in proceedings dated 18.05.2011, pursuant to the representation forwarded by the second respondent, within a period of eight (08) weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

15.07.2015
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