

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE**

**AND**

**HON'BLE SRI JUSTICE S.V.BHATT**

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**W.P. No.25384 OF 2014**

**PC:** (per Hon'ble Sri Justice S.V.Bhatt)

The petitioner prays for Mandamus directing 2<sup>nd</sup> respondent to follow the procedure under Rule 4 of the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural purposes) Rules, 2006 in considering representation dated 01.04.2014 of the petitioners, before considering the application of 7<sup>th</sup> respondent for conversion of agricultural land under Section 4 of the A.P. Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006.

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

The learned counsel have brought to our notice the interim order dated 03.09.2014 in this writ petition which reads thus:

“ Pending further orders, there shall be similar interim direction in this case also.

“Therefore, pending adjudication into the matter, it is directed that a Revenue Divisional officer, who receives an application for change of land use, shall take the following aspects into account, before according permission.

a ) The impact upon the ayacut of the immediately neighbouring agricultural lands, on account of the change of land use, in respect of a piece of land;

b) the potential or necessity for any further expansion of the inhabited area, of which the land proposed to be put to non-agricultural use is part;

c) the impact on the resources, such as electricity, water, sanitation, etc., of the local bodies in the immediate neighbourhood; and

d) the impact on the environment, particularly the water bodies. For this purpose, the Revenue Divisional Officer shall ascertain the views of,

i) the local bodies,

ii) the Assistant Director of Agriculture,

iii) the District Manager, Industries, in case the change of land use is for the

purpose of industrial use, and

iv) the concerned official of the A.P.Pollution Control Board. This shall be in addition to the requirement under the Rules.

In case any non-agricultural activity is undertaken over any agricultural land, without permission, such activity shall be stopped, till specific permission is issued. Steps shall also be taken to ensure that proper reply is given before expiry of the period, mentioned in Sub-section (6) of Section 3 of the Act, and each Revenue Divisional officer shall maintain separate register to record the progress on the applications submitted under the Act.”

The learned counsel appearing for the parties submit that as on date, the respondents have not considered the representation dated 01.04.2014 as directed by this Court and no order, it appears, is passed.

Having regard to the limited grievance of inaction in considering petitioners' representation dated 01.04.2014, we are satisfied that the writ petition can be disposed of by this order.

The interim order dated 03.09.2014 is made the final order in the writ petition.

The respondents are directed to pass orders on the representation dated 01.04.2014, if no order is passed as on date, within two months from the date of receipt of a copy of this order.

The writ petition is disposed of. No costs.

While disposing of the writ petition, it is made clear that the merits of the matter are not considered by this Court and it is for the authority to consider and dispose of the representation.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

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**DILIP B.BHOSALE, ACJ**

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**S.V.BHATT,J**

Date: 27.10.2015

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