

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

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WRIT PETITION No.25665 of 2015

Between:

Modukuru Venkateswarlu.

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Petitioner

and

The State of Andhra Pradesh,
Rep.by its Principal Secretary and others.

... **Respondents**

DATE OF JUDGMENT PRONOUNCED: **14.08.2015**

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.25665 of 2015

ORDER:

Heard.

Petitioner intends to sell an extent of Ac.5-00 cents of land in Survey No.56-2 of Akkampet Village, Tada Mandal, SPSR Nellore District and appears to have approached the 4th respondent for registration of the document, who in turn, directed him to file 'No Objection Certificate' and 'Clarification' from the revenue authorities. Questioning the same, the present writ petition is filed.

Petitioner states that he is an Ex-serviceman and in that capacity he got 'D' Form patta for the foresaid land on 06.09.1997 and the revenue authorities also issued pattadar pass book and title deeds in his favour. On account of old age, ailments and financial problems, he intends to sell the said land. The petitioner approached the third respondent-Tahsildar on 01.09.2014 with a request to issue 'No Objection Certificate' for selling of the aforesaid land. Thereafter, the 3rd respondent conducted enquiry and recommended to issue 'No Objection Certificate' for selling the land vide his letter, dated 30.10.2014.

Learned Assistant Government Pleader for Revenue, on instructions, states that the petitioner has to make appropriate application before the District Collector as per G.O.Ms.No.307, Revenue (Assignment-I) Department, dated 06.06.2013.

Since the petitioner has not made any such application before the District Collector as stated by the learned Government Pleader, liberty is given to the petitioner to make an application before the 2nd respondent seeking 'No Objection Certificate' in terms of

G.O.Ms.No.307, dated 06.06.2013, and if such an application is received, the 2nd respondent shall consider the same taking into consideration the report of Tahsildar, and if he satisfies himself that the land belongs to the petitioner and comes under Ex-serviceman quota, if permissible, pass appropriate orders expeditiously, keeping in view that the petitioner is 73 years old.

Accordingly, the Writ Petition is disposed of . There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

AUGUST 14, 2015
YVL

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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Dt: 14.08.2015

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