

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.5174 of 2015

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Between:

Sai Educational Society,
Rep by its Chairman,
Ch. Nagur

PETITIONER

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary,
Revenue Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

This writ petition is filed to declare the action of respondents 2 and 3 in interfering with the construction of the college building at Sy.No.100/1, Dugganapalli Village, Chennur Mandal, YSR Kadapa District, in violation of A.P. Agricultural Lands (Conversion of Non-agricultural purpose) Act 2006 and Rules 2006, and consequently to direct the respondents not to interfere with the construction activity of the educational institution.

Petitioner, an educational institution, purchased an extent of Ac.1.01 cents in Sy.No.100/1 situated at Dugganapalli Village, Chennur Mandal, YSR Kadapa District vide registered sale deed bearing document No.6487/2013, dated 17.09.2013 for extension of its existing building. As the land being an agricultural land, the petitioner submitted an application dated 15.10.2014 to the 2nd respondent- Revenue Divisional Officer, Kadapa requesting to convert the agricultural land into non-agricultural purpose by paying requisite fee. As no orders are passed on the said application, the petitioner started construction of building. Since the 2nd and 3rd respondents, without passing any orders on the said application and without issuing any notice to the petitioner, are trying to interfere with the construction activity, the present writ petition is filed.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (A.P.) for respondents.

On 03.03.2015 this Court directed the learned Assistant Government Pleader to get instructions in the matter. Today, when the matter is taken up for admission, the learned Assistant Government Pleader on written instructions received from the Tahsildar, Chennur Mandal, vide Ref.No.A/16/2014, dated 12.03.2015, submits that the

application of the petitioner for issue of Pattedar Passbook/title deed in its favour has been rejected on the ground that as per the RSR the above land is shown as Dot land and many cases relating to the issue of dot lands is pending before the Hon'ble High Court. Conversion of the above said land in favour of the petitioner is not possible until the title of the above said land is changed in favour of the petitioner. A copy of the written instructions has been placed on record.

Since the written instructions are submitted stating the reasons for not accepting the petitioner's claim for mutation under Rights in Land and Pattedar Passbooks Act, 1971, nothing survives for adjudication in this writ petition as the grievance of the petitioner that its application is not being considered stands redressed. However, if the petitioner aggrieved against the proceedings dated 12.03.2015 issued by the 3rd respondent, it is always open for the petitioner to avail the remedies available to it under law.

Accordingly the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

18th March, 2015
Js.