

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.38550 OF 2015

ORDER:

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

This Writ Petition is filed alleging that the respondent authorities are insisting on production of 'No Objection Certificate' (NOC) as a pre-condition for consideration of the petitioners' application for conversion of agricultural land into non-agricultural purpose. In their application, dated 15.12.2014, made to the Tahsildar, Hayathnagar Mandal, Ranga Reddy District, the

4th respondent, the petitioners sought conversion of the land admeasuring Acs.04.25 guntas in Survey No.242/5 of Abdullapur Village, Hayathnagar Mandal, Ranga Reddy District, into non-agricultural use. Alleging that the 4th respondent is insisting on production of NOC, the present Writ Petition is filed.

The petitioners state that before they purchased the subject property from an Ex-serviceman under registered sale deeds bearing Document Nos.1744 and 1745 of 2008, dated 08.04.2008, and 1309 and 1310 of 2008, dated 18.03.2008, they obtained NOC from the then Mandal Revenue Officer as early as on 31.12.1997. Therefore, the petitioners contend that NOC cannot be insisted upon for conversion of their land into non-agricultural purpose.

It is, however, noticed from the record that there is no application made by the petitioners under the Andhra Pradesh Agricultural Land (Conversion For Non-Agricultural Purposes) Act, 2006 (for short, 'the Act'), before the competent authority, namely, the Revenue Divisional Officer, the 3rd respondent herein, nor the

requisite fee is paid as required under the Act and the Rules framed thereunder. Hence, at this stage, in my view, it is premature to consider as to whether NOC is necessary for conversion of the petitioners land into non-agricultural purpose.

The Writ Petition is accordingly disposed of giving liberty to the petitioners to make appropriate application before the 3rd respondent under the Act and if such application is made, the 3rd respondent shall consider the same on its own merits and pass appropriate orders in accordance with law, expeditiously. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

19.01.2016

Note:- Issue C.C. in three days.

(B/o)
KH