

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11561 OF 2016

ORDER:

The case of the petitioner is that the petitioner's father was an Ex-Serviceman of Indian Army and he was assigned an extent of Ac.4-93 cents in Sy.No.134-1 of Paradesipalem Village, Visakhapatnam District vide patta No.116/71 dated 23.06.1970 and the same was recorded in the revenue records. The petitioner's father was in continuous possession and enjoyment of the said land till his demise on 10.12.2009 and thereafter the petitioner succeeded the said property. While so, on 14.07.2010 the petitioner made an application to the 1st respondent seeking No Objection Certificate (NOC) to sell the aforesaid property in view of G.O.Ms.No.1117/93 dated 11.11.1993. In pursuance to the same, a report was called for, from the revenue authorities and the respondents 4, 5 and RDO have submitted their reports dated 25.07.2010 and 10.09.2010 to the 3rd respondent recommending for issuance of NOC. Subsequently, the 3rd respondent sent his report dated 16.01.2011 to the 2nd respondent observing that VUDA has reported him that a road in an extent of Ac.1-07 cents out of Ac.4-93 cents of land has already been formed. In spite of recommendations by the respondents 3 to 5, no orders are passed on the application made by the petitioner for grant of NOC. The 3rd respondent has also sent his latest report on 30.06.2015 to the 2nd respondent stating that the claim of the petitioner is genuine, who in turn forwarded the same to the 1st respondent. But the 1st respondent, so far, has not taken any decision for issuance of NOC. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner.

When the matter came up on 07.04.2016, the Government

Pleader sought time and the matter was posted to 03.06.2016. Today when the matter is called he again sought time.

Since the direction sought by the petitioner is only the consideration of the application filed by him for grant of NOC, basing on the recommendations of the Officers, I deem it appropriate that the concerned authority shall dispose of the application of the petitioner filed for grant of NOC in accordance with law within a period of three (03) months from the date of receipt of copy of this order.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

27-06-2016
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