

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.24101 OF 2012

ORDER:

Heard Ms. Ayesha for petitioner.

The petitioner calls in question notices dated 23.05.2012 issued by 3rd respondent. Through the notices impugned in the writ petition, the 3rd respondent has informed the petitioner that the petitioner prepared layout without permission from the Gram Panchayat, Town and Country Planning Department. The notices further calls upon the petitioner to produce proposals within 7 days from receipt of the notice.

The complaint of petitioner, it appears, is in following Section 6 of the A.P. Agricultural Land (Conversion for Non-agricultural Purposes) Act, 2006. The petitioner relies upon sub-section (4) of Section 6 of the Act and contends that even assuming that land conversion charges remain unpaid, still the notice issued cannot be sustained for the competent authority is required to recover the amount so due under the provisions of the A.P.Revenue Recovery Act, 1864. Therefore, the very notices are bad and illegal.

I have perused the notices and I am satisfied that for a person either to develop land into layout or open plot into a construction building is required to follow the procedure under G.O.Ms.No.67 Panchayat Raj Department dated 26.02.2002. It is not the case of petitioner that the petitioner has not obtained layout permission from the Gram Panchayat, Town and Country Planning

Department. The conversion charges are payable under the Non-Agricultural Lands Assessment (NALA) Act, 1963.

Through the notices impugned in the writ petition, the petitioner is merely called upon to conform to the requirements of law. I do not see any illegality or irregularity in the notices impugned and to meet the ends of justice, this Court is of the view that the petitioner can be given liberty to file compliance/objections before respondent No.3 within six weeks from the date of receipt of copy of this order. The 3rd respondent is directed to consider compliance/objections and take decision and communicate to petitioner within eight weeks thereafter.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, stand closed.



S.V.BHATT, J

27th January, 2017

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