

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10075 OF 2017

ORDER:

The case of the petitioners is they are the owners of the land admeasuring Ac.1.02gts., Ac.1.06 gts., and Ac.1.09 ¼ gts., in Sy.Nos.455/13/A, Sy.No.455/13/AA and Sy.No.455/13 respectively having purchased the same through registered sale deed Doc.No.47/2005 dated 18.02.2005. The petitioners have applied for conversion of the subject land into non-agricultural purposes for setting up of Hot Mix Plant and the 4th respondent passed orders dated 23.06.2010 granting permission for conversion, which clearly shows that petitioners have been in possession of the subject lands. Thereafter, the petitioners have executed a lease deed in favour of BPCL for setting up a retail petroleum outlet in the subject land. Subsequently, on an application made by BPCL for grant of NOC to set up a new petroleum outlet, the 2nd respondent directed respondents 4 and 5 to submit a report. Accordingly, the 5th respondent submitted a report dated 22.05.2015 to the 4th respondent stating that as per Khasra Pahani, the subject land belongs to the petitioners and they are recorded as pattadars and possessors and also pattadar pass books and title deeds were issued. The 4th respondent also submitted a report to the 2nd respondent stating that subject land belongs to the petitioners and No Objection may be given for installation of retail petroleum outlet by BPCL. In spite of the same, the 2nd respondent is not taking any action for grant of NOC. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners submits that there are objections with regard to the land falling under Sy.No. 455/14 and 455/17 but not with regard to the land belonging to the petitioners in Sy.No.455/13.

Learned Assistant Government Pleader for Revenue submits that it is for the 2nd respondent to consider the application of the petitioners by taking into account the reports submitted the authorities and take action accordingly.

In this case, it is to be seen that though reports are filed in pursuant to the representation of the petitioners, no orders are passed by the 2nd respondent.

In view of the same, the 2nd respondent is directed to dispose of the representation of the petitioners by taking into consideration the reports submitted by the respondents 4 and 5 and take appropriate action within a period of two (02) months from the date of receipt of copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

22.03.2017
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