

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.448 OF 2018

ORDER:

In spite of service of notice on the seventh respondent, none appears for the seventh respondent.

Heard learned counsel for the petitioners and no counter affidavit is filed by the learned Government Pleader.

It is the case of the petitioners that the second petitioner is a native of Bhuvanapalli Village, Nidamaru Mandal, West Godavari District and other petitioners also belong to the said village. They are raising paddy crops in their lands. The seventh respondent is also having lands in the said village. The seventh respondent appears to have submitted an application to the sixth respondent seeking permission to convert his agricultural lands for residential purpose and the sixth respondent passed a resolution on 07.01.2017 for sending it to the Director of Town and Country Planning, Guntur. It is the case of the petitioners that due to such conversion, the lands of the petitioners are going to be affected and in those circumstances, they submitted a representation on 20.07.2017 seeking information relating to the conversion proceedings to the revenue authorities and the third respondent furnished a copy of the proceedings, dated 02.01.2017, by letter dated 18.08.2017 and informed that Acs.0.42 cents was converted from agricultural lands to non-agricultural purpose. As per the said information, the Managing Director of M/s.Sri Vijayalakshmi Par Boiled Rice Mill, sought permission to convert Acs.0.42 cents situated in Survey No.249/1As only. The other lands were not permitted to be converted as non-agricultural lands. Though the third respondent is competent authority to grant

permission, the sixth respondent passed a resolution and it has no validity for such conversion. It is also the case of the petitioners that the seventh respondent is encroaching the Government land, more particularly, drainage and burial grounds and converting the lands for housing purpose. In those circumstances, they submitted several representations on 24.04.2017, 07.05.2017 and 10.07.2017 and when no action was taken, the present writ petition is filed.

The case of the petitioners is that the seventh respondent is raising illegal constructions in the land of an extent of Acs.4.26 cents situated in Survey Nos.250/1, 2, 3 and 4, 251/3 and Acs.6.39 cents in Survey Nos.244/1A, 1B, 2, 3 and 4, 233/1, 249/1 236/2, 3, 243/2, 3, totalling an extent of Acs.10.65 cents situated in Bhuvanapalli Village, Nidamaru Mandal, West Godavari District, without seeking proper permission for conversion of such agricultural lands.

In the circumstances, the respondents 3 and 4 are directed to verify their records and if no permission exists in favour of the seventh respondent, appropriate action shall be taken under the provisions of the Andhra Pradesh Agricultural Land (Conversion for Non-agricultural Purpose) Act, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

16.02.2018
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