

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12827 OF 2018

Dated 1st May 2018

Between:

K.Vijaya Kumar, S/o.Rajender.

...Petitioner

And

1. State of Telangana, rep.by through its Principal Secretary,
Revenue Department, Secretariat, Hyderabad and three others.

...Respondents

The Court made the following:



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ORDER:

1. Petitioner claims to be the owner of land to an extent of Ac.1.08 gts in Survey No.123/A/E situated at Chinna Pendiya Village, Ghanpur Mandal. According to the petitioner, he intended to establish petroleum retail outlet as a licensee of Indian Oil Corporation. As the petitioner requires to obtain no objection certificate from the District Collector to apply for grant of license from the Government of India, an application was made.

2. According to the learned Senior Counsel, the said application is pending consideration since the year 2015. While so, notification under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 was issued on 12.08.2017.

3. In view of the notification issued for acquisition of the huge extent of land including the land covered by the land above mentioned no objection certificate is not granted causing lot of hardship. According to learned senior counsel for the petitioner, this piece of land can be exempted from acquisition as it would not be affecting overall exercise of widening the National Highway.

4. Requesting to grant no objection certificate and also to exempt the land from acquisition process several representations were made. A copy of the representation dated 07.04.2018 addressed to the District Collector is placed on record.

5. In view of the fact that representations are made and pending, without expressing any opinion on merits, the Writ

Petition is disposed of directing the District Collector to examine the claim of the petitioner as with reference to claim to grant no objection certificate and for exemption from Land Acquisition process ventilated in his representations and issue suitable reply to the petitioner within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(P.NAVEEN RAO, J)

1st May 2018
RRB

