

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.24704 OF 2018

ORDER:

Heard Mr.T.S.Praveen Kumar, learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue.

2. The writ petition is filed aggrieved by the inaction of the respondents in considering and disposing of the application of the petitioner, dated 23.12.2016, filed under Andhra Pradesh Agricultural land (Conversion for Non-Agricultural purpose) Act, 2006, as illegal and unconstitutional.

3. Learned Assistant Government Pleader places on record written instructions vide RC No.A4/2902/2016, dated 18.07.2018. The relevant portion of the instructions reads thus:

“It is to submit that from the above, following discrepancies arise:

1.Whether the proposed land completely falls in Sy.No.238 or 239?

2. Initially, the Tahsildar, Khammam (U) has reported that the land shown by the applicant falls in Sy.No/51 & 52 of Burhanpuram (V).

3.Later,the Tahsildar has recommended for conversion of subject land in Sy.No.239 to an extent of Ac.0.21 ½ Gts situated at Burhanpuram (V).

4.The location sketch furnished by the Dy. Inspector of Survey is not shown with podi, which shows the ambiguity in deciding the boundaries of bye pass road, drainage passing through between land shown and by pass road etc., clearly showing the lands of Sy.No.239 and the land in Sy.No.238.

In view of the above, vide reference 7th cited, a detailed report was submitted to the District Collector, Khammam requesting to issue necessary instructions to the Asst Director, S & LR, Khammam to conduct survey over the subject land, since this land in question is an urban land situated in prominent location and surrounded by Govt

Survey numbers. In order to protect the Government land/acquired land, the survey has to be done with clear demarcation of land used for bye pass road, adjacent Govt land in Sy.No.238 and large municipal drainage passing between the subject land and bye pass road.

It is to submit that after receipt of report from the Asst Director, S & LR, Khammam, the request of the applicant will be disposed in due course.”

4. Though the 3rd respondent/Revenue Divisional Officer undertakes to dispose of the application filed by the petitioner for conversion of agricultural land into non-agricultural purpose in due course, this Court after perusing of material on record is of the view that the expression ‘due course’ is indefinite.

5. Therefore, the writ petition is disposed of by directing the respondents 2 and 3 to take steps as are required as expeditiously as possible and pass final orders within 6 weeks from the date of receipt of a copy of this order. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

DATED: 19-07-2018.
Hsd

S.V.BHATT, J