

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.29276 of 2009

ORDER:

This Writ Petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a Writ or order or direction more in the nature of a Writ of Mandamus declaring the action of the 1st respondent in not releasing the final layout to the petitioner for S.No.58/1/F of Karmanghat Village, Saroornagar Mandal, Ranga Reddy District, as illegal, null, void and arbitrary and consequently, direct the 1st respondent to release the approved final layout to the petitioner.”

Today, when the matter is taken up, it is submitted by the learned counsel for both the parties that the issue in the present Writ Petition is squarely covered by the common order, dated 28.04.2010, passed by this Court in W.P.No.26688 of 2007 and batch, as confirmed by the Division Bench of this Court in W.A.No.702 of 2010 and batch *vide* common judgment, dated 28.08.2015, relevant portion of which reads as under:

“As we have confirmed the common order, dated 28.04.2010, we are inclined to dispose of writ petitions as follows:

- (a) It shall be competent for the Urban Development Authorities or the Local authorities, as the case may be, to insist on submission of clearance/permission under the 2006 Act as a condition precedent for releasing of layouts;

- (b) The land has been put to non-agricultural use before the 2006 Act came into force, such clearance/permission shall not be insisted; and
- (c) Conversion of land into non-agricultural use under the provisions of Act 3 of 2006 is necessary even if the land is covered by Master Plan and sanction of layout by the Development Authority under the provisions of Act 1 of 1975.”

Following the above said judgments and for the reasons stated therein, this Writ Petition is also disposed of in terms thereof and with the direction to the designated competent authority under the provisions of the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006, to collect necessary fee from the petitioner, as required under the said Act, and release the layout, within a period of eight (8) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

12th OCTOBER, 2018.

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