

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.42971 of 2018

ORDER:

The case of the petitioner is that he is the owner and possessor of the land admeasuring Ac.1-20 guntas in Survey No.72/16 of Battisawargaon village, Mavala mandal, Adilabad district, having inherited the same from his father Manda Ramaiah. It is stated that his father has purchased an extent of Ac.8-00 guntas by way of a registered sale deed Document No.166/1971 from one Pedula Ashiga who is said to be the original assignee under Special Laoni Rules, 1950 and his name was recorded in pahanis of 1955-56, 1956-57 and 1957-58 and he is said to have been in possession upto 1969-70. It is the further case of the petitioner that he made an application dated 21.12.2016 before respondent No.3 seeking No Objection Certificate (NOC) in respect of his land so as to enable him to alienate the land to third parties. It is stated that the 3rd respondent has addressed letter to the 4th respondent to cause enquiry and submit a report in the matter. It is further stated that respondent No.4 has enquired into the matter and submitted a report stating that the condition of Non-alienation stipulated in G.O.Ms.No.1406 dated 25.08.1958, does not attract to the petitioner's land of Ac.1-20 guntas in Survey No.72/16 and therefore recommended issuance of NOC to the petitioner.

It is stated that respondent No.3 has addressed a letter dated 18.09.2018 to respondent No.2 apprising the petitioner's case in his representation dated 21.12.2016 along with the recommendation of respondent No.4 on issuance of NOC to the petitioner. It is the specific grievance of the petitioner that the respondent authorities have not issued NOC to him till date.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue, State of Telangana.

In the facts and circumstances of the case, the writ petition is disposed of directing the 2nd respondent to consider the application of the petitioner, dated 21.12.2016 and also the letter dated 18.09.2018, and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE A. RAJASHEKER REDDY

28.11.2018

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28th November, 2018

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