

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1307 of 2019

ORDER:

The petitioner company assails the proceedings dated 03.04.2018 issued by the Tahsildar, Narsingi Mandal, refusing its request to change the usage of the land admeasuring Ac.1.35 guntas in Survey No.611 of Narsingi Village from agricultural to non-agricultural. A copy of the application made by the petitioner company is not placed on record but in the light of Section 5 of the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006 (*for brevity*, 'the Act of 2006'), which would have application in the State of Telangana, the competent authority for effecting conversion of the usage of agricultural land to non-agricultural purposes would be the Revenue Divisional Officer and not the Tahsildar.

In that view of the matter, the Tahsildar at best could have only submitted a report to the Revenue Divisional Officer but could not have passed an order rejecting the request of the petitioner company. In effect, the impugned letter dated 03.04.2018 has no legal value inasmuch as it purports to decide the application filed by the petitioner company.

The writ petition is accordingly allowed to that extent leaving it open to the petitioner company to move an appropriate application under the provisions of the Act of 2006 before the competent authority.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:25.01.2019

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