

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6026 of 2019

ORDER:

The prayer of the petitioners in this case reads as under:-

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondent Nos.2 and 3 in not taking action on the representation dated 20.01.2018 of the 2nd petitioner for giving No objection certificate with regard to the land in petitioner No.1 granted patta vide patta No.252 issued pattadar pass book and title deed in respect of land to an extent of Ac.0.24 ½ guntas in Sy.No.88, Ac.0.24 gts in Sy.No.89 and Ac.0.04 gts in Sy.No.147 and petitioner No.2 granted patta vide patta No 251 and issued pattadar pass book and title deed in respect of land to an extent of Ac.0.25 gts in Sy.No.88, Ac.0.23 gts in Sy.No.89 and Ac.0.04 gts in Sy.No.147 like wise petitioner No.3 was granted patta vide patta No.253 and issued pattadar pass book and title deed in respect of land in Sy.No.88 to an extent of Ac.0.24 ½ guntas, in Sy.No.89 to an extent of Ac.0.24 gts and in Sy.No.147 to an extent of Ac.0.04 gts, all situated at Anumagal Village, Hayathnagar Mandal, Ranga Reddy District, and consequently direct the respondents to issue No Objection Certificate to the petitioners land and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.”

To a pointed out query posed by this Court as to which enactment of law authorises the revenue authorities to give a No Objection Certificate in relation to the status of any land, Sri D.Y.N.L.N.Charyulu, learned counsel for the petitioners, fairly conceded that there is no such legal basis.

Unless clothed with the power to issue such certification, it is not open to the revenue authorities to assume unto themselves such authority and resort to issuance of certificates. The prayer of the petitioners is therefore utterly misconceived.

The Writ Petition is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

22nd March, 2019
dr

