

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6548 of 2019

ORDER:

The prayer of the petitioner 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 the respondents herein in not issuing NOC respect of land in Sy.No.168 to an extent of Acs.4.20 guntas situated at Kojjavanam Pally Village, Nawabpeta Mandal, Vikarabad District, which was allotted to the petitioner under Ex-serviceman quota as per G.O.Ms.No.1117 dated 11.11.1993 and GO.Ms.No.307 dated 06.06.2013 in spite of petitioner representation dated 20.11.2018 to 2nd respondent herein which is illegal, arbitrary, unjust, contrary to the provisions of the Registration Act, 1908, and settled principles of legal position and violative of Fundamental and Constitutional Rights guaranteed to the petitioner under Articles 14 16 21 and 300A of the Constitution of India and consequently direct the respondents herein to issue NOC in respect of the aforesaid land with all consequential benefits or otherwise Petitioner will suffer serious finance loss and great hardship 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.”

Perusal of the record reflects that G.O.Ms.No.307, Revenue (Assignments-I) Department, dated 06.6.2013 was issued by the erstwhile Government of Andhra Pradesh in relation to furnishing of No Objection certificates to Ex-service men and freedom fighters for selling away their assigned lands. The petitioner's representation dated 20.11.2018 would have to be considered by the authorities concerned in terms of this G.O. Having received such a representation, it is not open to the authorities to remain somnolent.

The Writ Petition is accordingly disposed of directing the respondents to consider the petitioner's representation dated 20.11.2018 in terms of G.O.Ms.No.307 dated 06.6.2013 and communicate their decision/No Objection certificate to the petitioner

expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order, be it from whatever source.

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

JUSTICE SANJAY KUMAR

01st April, 2019
dr

