

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9581 OF 2019

ORDER

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

‘For the reasons stated above, it is therefore prayed that the Hon’ble Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Writ of Mandamus declaring the inaction of the respondent No.2 in issuing NOC by taking into consideration of the applications dated 18-07-2016 with regard to the land to an extent of Ac 5.10gts belongs to petitioner No.1 and Ac 5.11gts belongs to petitioner No.2 in Sy.No. 260 of Proddatoor village, Shankarpally Mandal, Ranga Reddy District is as being arbitrary, illegal and violation of Article-14, 21 & 300-A of the Constitution of India inclusive of principles of natural justice and consequently direct the respondent No.2 to issue NOC with regard to the subject land belongs to petitioners and pass such other order or orders as this Hon’ble court may deem fit and proper in interest of justice.’

It appears that the petitioner made an application as long back as in July, 2016 seeking issuance of a ‘No Objection Certificate’ in relation to the subject land.

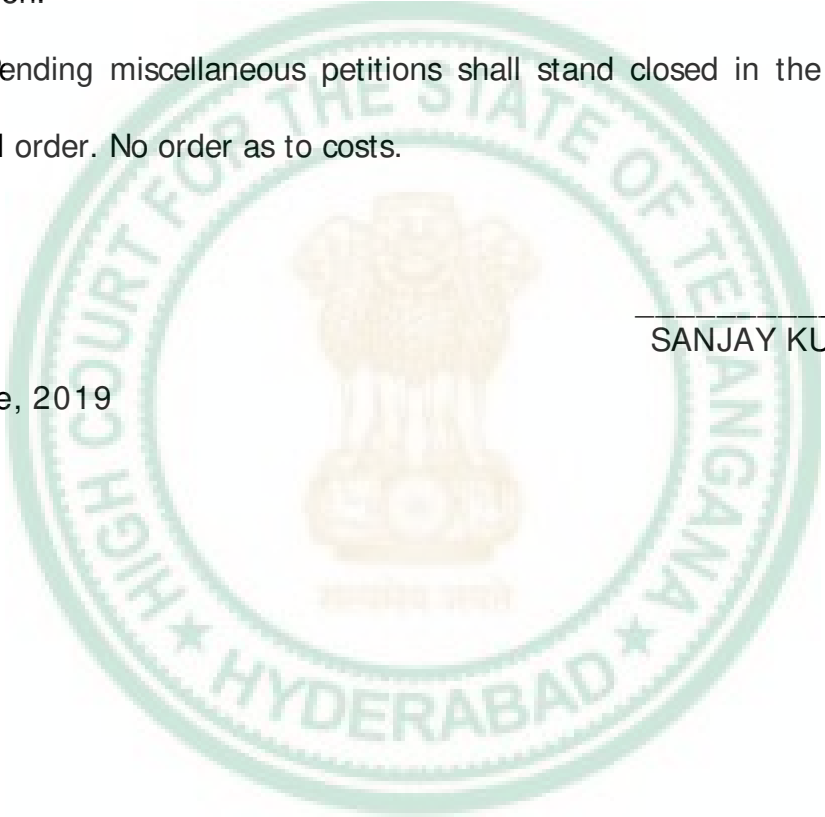
Sri P.Sasidhar Reddy, learned counsel for the petitioners, however concedes fairly that the subject land is included in a list of prohibited properties and yet to be deleted therefrom.

In such circumstances, this Court is at a loss to understand as to how the revenue authorities can be asked to issue a ‘No Objection Certificate’ by taking into consideration the application submitted by the petitioner in this regard. As the authority is yet to consider it, it would be premature for this Court to venture any firm opinion thereon. As the

petitioner's application was made as long back as in July, 2016, it would be appropriate for the petitioner to make a fresh application with proper documentation.

The writ petition is disposed of permitting the petitioner to make an application afresh with proper documents on the same lines as was made on 18.07.2016. In the event such an application is made, it shall be considered on its own merits and in accordance with law expeditiously and in any event, not later than four weeks from the date of receipt of such application.

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

A large, faint, circular watermark seal of the High Court for the State of Telangana, Hyderabad, is centered in the background. It features the state emblem of India in the center, surrounded by the text "HIGH COURT FOR THE STATE OF TELANGANA" and "HYDERABAD" at the bottom.

SANJAY KUMAR, J

3rd June, 2019

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