

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13935 of 2019

Date : 10.7.2019

Between:

Smt Vemulapalli Rajya Lakshmi W/o Late Kutumba Rao
Age 81 years Occ Household
R/o H No 7-1-396 B/5 S R Nagar Hyderabad 500038

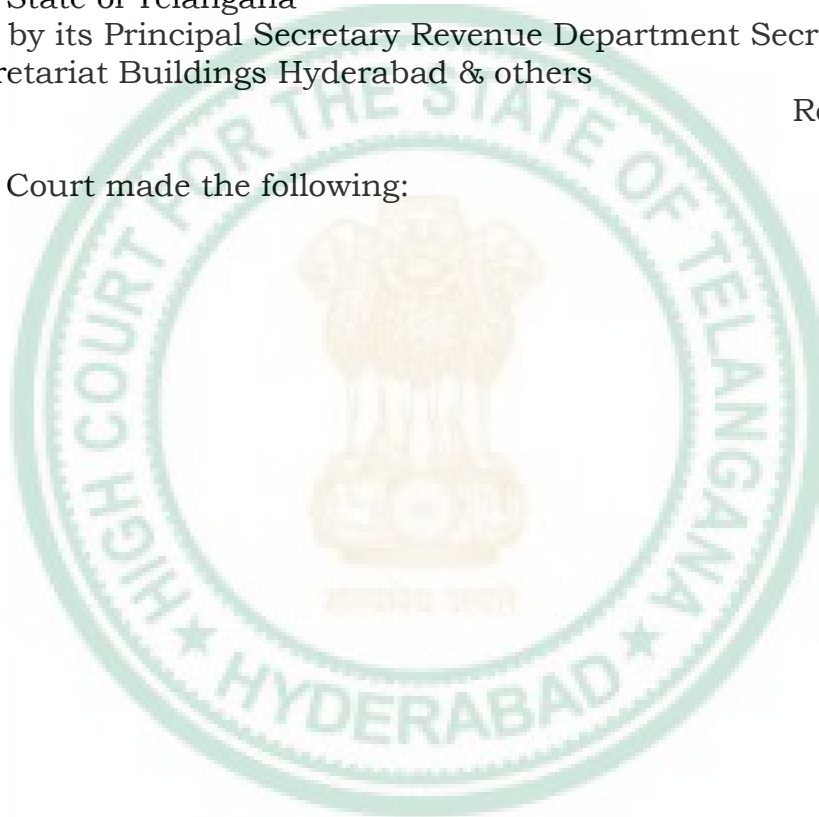
Petitioner

And

The State of Telangana
Rep by its Principal Secretary Revenue Department Secretariat
Secretariat Buildings Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

2. Petitioner claims to be owner and in possession of dry land to an extent of Ac.15.33 guntas, Ac.09.05 guntas and Ac. 15.33 guntas in Survey Nos. 703, 705 and 710 respectively, Malkapur village, Choutuppal mandal, Yadadri Bhuvanagiri district. He claims to have submitted application dated 6.7.2016 seeking conversion of agricultural land for non agricultural purposes. Earlier petitioner filed W P No. 10486 of 2018 challenging the inaction in disposing of his application for conversion. The said writ petition was disposed of on 2.4.2018 directing the Revenue Divisional Officer, Choutuppal to examine the claim of the petitioner and to pass orders. On 5.7.2018 orders are passed informing the petitioner that request for conversion cannot be granted as notification for acquisition of the subject land was issued under The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (for short the Act, 2013) and acquisition proceedings are in progress. It was also informed that alleged application stated to have been filed by petitioner was not received in the office of Revenue Divisional Officer.

3. It is not in dispute that in October, 2017 notification was issued under Act, 2013 proposing to acquire private land for public purposes. Thus, by the time writ petition was disposed of, land acquisition process was set in motion, therefore, I do not see any error in

the decision communicated by the Revenue Divisional Officer informing petitioner that as Land Acquisition notification was issued, he cannot process the application for conversion.

4. Learned counsel for petitioner sought to contend that as per the provisions of A.P. Agricultural Land (Conversion for Non Agricultural Purposes) Act, 2006 if application submitted by the person is not processed and no reply is furnished within time prescribed therein, it would be deemed that permission is granted for conversion, therefore, land of the petitioner stood converted.

5. This submission, may be available to the petitioner, before the Land Acquisition Officer in the proceedings under Act, 2013 to claim appropriate compensation. Apparently, no application for conversion is pending and such application is rejected for the reasons assigned therein. Therefore, writ petition is dismissed, leaving it open to the petitioner to raise all objections as available in law in the Land Acquisition proceedings under Act, 2013. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 10-7-2019
TVK

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