

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

**WRIT PETITIONS No. 37541 OF 2013, 12725, 12951, 21917,
23532, 27016, 30541, 37304 OF 2014**

COMMON ORDER:

It is submitted by the learned counsel on either side across the Bar that the issue involved in all these Writ Petitions is squarely covered by the judgment dated 28.08.2015 of the Division Bench of this Court in Writ Appeal No. 702 of 2010 and batch, wherein, it has been held as under:

“ a) It shall be competent for the Urban Development Authorities or the Local Authorities, as the case may be, to insist on submission of clearance / permission under the 2006 Act as a condition precedent for releasing of layouts, and

(b) the land has been put to non-agricultural use before the 2006 Act came into force, such clearance/ permission shall not be insisted.

c) Conversion of land into Non-agricultural use under the provisions of Act 3 of 2006 is necessary even if the land is covered by Master Plan and sanction of layout by the Development Authority under the provisions of Act 1 of 1975.”

Since the petitioners question the clause imposed for releasing / approving the final lay out, i.e. to submit the ‘No Objection Certificate’ from the Revenue Divisional Officer regarding conversion from agriculture to non-agriculture purpose under the Andhra Pradesh Agricultural Lands (Conversion into Non-Agricultural Purpose) Act, 2006, in view of the above judgement, the Writ Petitions do not merit any consideration and they are accordingly, dismissed.

However, since it was directed by this Court while passing interim order that the petitioners should also file an affidavit before the respondents that in the event of their not succeeding in the Writ Petition, they would discharge their

liability under the provisions of the 2006 Act, it is directed that they shall comply with the said condition within eight weeks from today. In default, the respondents are at liberty to take action in accordance with law. No costs.

The miscellaneous Applications, if any pending in this Writ Petition shall stand closed.

CHALLA KODANDA RAM, J

14th February 2019
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