

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

**THURSDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 21975 OF 2020

Between:

Thumu Sharmila, Wife of Tumu Venkat Narayana, Aged about 48 years,
Resident of Kistapuram Thallada Mandal, Khammam District

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad
2. The District Collector, Bhadradi Kothagudem District
3. The Revenue Divisional Officer, Kothagudem Division, Bhadradi Kothagudem District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, directing the respondents to pass orders on the representation dated 23/09/2020 seeking conversion of land from Agriculture to Non-Agriculture purpose admeasuring 866.66 sq. yards equivalent to 724.63 sq. meters in Sy.No.502, situated at Seetharampatnam in Paloncha Municipality of Bhadradi Kothagudem District, as per Sub-Section (3) and (6) of Section 3 of A.P., Agriculture Lands (Conversion for Non-Agriculture Purpose) Act, 2006 (Telangana Adoption Order, 2016) as amended in G.O.Ms.No.4 Revenue (Land Matters) Department dated: 05/01/2016.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents herein to pass orders on the representation dated: 23/09/2020 of the petitioner, pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI P. RAVI SHANKER

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.21975 of 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, wherein the following prayer is made:

"...to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents to pass orders on the representation dated 23.09.2020 seeking conversion of land from agriculture to non-agriculture purpose admeasuring 866.66 square yards equivalent to 724.63 sq. metres in Sy.No.502, situated at Seetharampatnam in Paloncha Municipality of Bhadradi Kothagudem District, as per Sub-Section (3) and (6) of Section 3 of A.P. Agriculture Lands (Conversion for Non-Agriculture Purpose) Act, 2006 (Telangana Adoption Order, 2016) as amended in G.O.Ms.No.4 Revenue (Land Matters) Department dated 05.01.2016; and pass such other order or orders..."

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Revenue appearing for the respondents and perused the record.

3. The learned counsel for the petitioner would submit that the petitioner is the owner and possessor of a house site admeasuring 866.66 square yards equivalent to 724.63 square meters in Sy.No.502, situated at Seetharampatnam in Paloncha Municipality of Bhadradi Kothagudem District, having purchased the same from his vendor by way of registered sale deed bearing document No.600/2008, dated 21.02.2008. When the petitioner applied for loan to construct a house on the subject site, the financial institutions insisted that the petitioner should first get the land converted from agriculture to non-agriculture purpose. Accordingly, the petitioner submitted an application, dated 23.09.2020, to the 3rd respondent/Revenue Divisional Officer, Kothagudem Division, for conversion of subject land from agriculture to non-agriculture purpose. Till date, no action has been taken on the said application

by the 3rd respondent. By this time, the said application could have been disposed of and ultimately prayed to direct the 3rd respondent to dispose of the subject application, dated 23.09.2020.

4. On the other hand, the learned Assistant Government Pleader for Revenue would contend that now, the subject matter of conversion of lands from agriculture to non-agriculture purpose are being assigned to the Tahsildar concerned, vide G.O.Ms.No.38, Law (A) Department, Government of Telangana, dated 16.10.2020. Therefore, the petitioner is required to file an application before the Tahsildar concerned for the said purpose.

5. As rightly contended by the learned Assistant Government Pleader for Revenue, G.O.Ms.No.38, dated 16.10.2020, confers the powers on the Tahsildar concerned to convert the land from agriculture to non-agriculture purpose in accordance with law. Under these circumstances, the petitioner is directed to file an application before the Tahsildar concerned seeking conversion of the subject land from agriculture to non-agriculture purpose, forthwith. On filing such an application, the Tahsildar concerned is directed to dispose of the same, in accordance with law and in terms of regulations governing, expeditiously.

6. With the above direction/observation, this writ petition is disposed of. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary to Government, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad
2. The District Collector, Bhadradi Kothagudem District
3. The Revenue Divisional Officer, Kothagudem Division, Bhadradi Kothagudem District
4. One CC to Sri. P. Ravi Shanker, Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court for the State of Telangana. [OUT]
6. Two C.D. Copies

 Prk

HIGH COURT

DATED:10/12/2020

ORDER

WP.No.21975 of 2020



Disposing of the WP.
without costs.

SSV
8 copies
Dt-19/12/2020