

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE
PRESENT**

**THE HON'BLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 1806 OF 2023**

Between:

M. Satyavathi, W/o. M. Rama Rao @ Ramulu, Occ: Agriculture, B-3, Sector C, Near Old Bowenapally Market Yard, Manovikas Nagar, Secunderabad, Telangana 500009.

...PETITIONER**AND**

1. The State of Telangana, Rep. by its principal secretary (Revenue) Secretariat, Hyderabad.
2. The Chief Commissioner of Land Administration, Nampally Station Road, Hyderabad.
3. The District Collector, Yadadri-Bhuvanagiri District at Bhongir.
4. Revenue Divisional Officer, Yadadri-Bhuvanagiri District.
5. The Tahsildar, Bhongir, Yadadri-Bhuvanagiri 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 any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not issuing No Objection Certificate in term os G.O.Ms. No. 307 Revenue (Assignments-I) Department, dated 06.06.2013 issued by the erstwhile Government of Andhra Pradesh in respect of the land in an extent of Ac. 5.00 guntas in S.No. 200/15 (New) (200/2 Old) of Anantharam Village of Bhongir Mandal of Yadadri-Bhuvanagiri District as illegal, arbitrary and in violation of the laws of the land and also in vilation of Articles 14,16,21 and 300 A of the Constitution of India and consequently direct the respondents to issue No Objection Certificate after conducting survey and fixing the boundaries in respect the land in an extent of Ac. 5.00 guntas in S.No. 200/15 (New) (200/2 Old) of Anantharam Village of Bhongir Mandal of Yadadri-Bhuvanagiri District, in accordance with law;

IA NO: 1 OF 2023

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 to pass appropriate orders on the representations of the petitioner dated 27.06.2022, 28.11.2022 and 19.08.2019 till the disposal of the above Writ Petition;

Counsel for the Petitioner
Counsel for the Respondents
The Court made the following:

:SRI. D S V G NAGARAJU
: GP FOR REVENUE

HON'BLE SRI JUSTICE K. LAKSHMAN

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ORDER:

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

2. According to the petitioner, her husband was the absolute owner and possessor of the land admeasuring Ac.5-00 gts in Sy.No.200/2 (old) 200/15 (new), situated at Anantharam Village, Bhongir Mandal, Yadadri-Bhuvanagiri District, on the basis of patta certificate No.D1/3176/68 dated 17.02.1969. Thereafter, she has applied for No Objection Certificate under G.O.Ms.No.307, Revenue (Assignments-I) Department dated 06.06.2013. She also sought for conduct of survey and demarcation of the aforesaid property by fixing boundaries. The 3rd respondent vide proceedings dated 09.12.2022 on considering the valuation of the property and the aforesaid G.O, requested respondent No.2 to consider the request made by the petitioner for issuance

of No Objection Certificate and also for taking necessary action. Despite receiving and acknowledging the said proceedings dated 09.12.2022, respondent No.2 did not act upon the same. Therefore, the present Writ Petition.

3. Perusal of the record would reveal that the aforesaid land was assigned to husband of the petitioner under ex-servicemen quota. Her husband died on 10.07.2008. Therefore, with an intention to alienate/develop the said property, petitioner has sought No Objection Certificate in terms of aforesaid G.O. Despite, specific recommendation by the 3rd respondent, 2nd respondent is not considering the issuance of No Objection Certificate in favour of petitioner.

4. In view of the aforesaid discussion, this Writ Petition is disposed of directing respondent No.2 to consider the request made by the petitioner and the proceedings dated 09.12.2022 of respondent No.2 and issue No Objection Certificate in favour of petitioner in respect of aforesaid property in terms of G.O.Ms.No.307

dated 06.06.2013 as expeditiously as possible preferably within a period of four (04) weeks from the date of receipt of copy of this order. With regard to conducting of survey, liberty is also granted to the petitioner to submit online application in terms of CCLA's Circular No.1/2021, dated 15-01-2021. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/-MOHD.SANAUALLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary (Revenue), State of Telangana, Secretariat, Hyderabad.
2. The Chief Commissioner of Land Administration, Nampally Station Road, Hyderabad.
3. The District Collector, Yadadri-Bhuvanagiri District at Bhongir.
4. Revenue Divisional Officer, Yadadri-Bhuvanagiri District.
5. The Tahsildar, Bhongir, Yadadri-Bhuvanagiri District.
6. One CC to SRI D S V G NAGARAJU Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
8. Two CD Copies

HIGH COURT

KL, J

DATED:24/01/2023



ORDER

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WRIT PETITION IS DISPOSED
OF WITHOUT COSTS