

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

FRIDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND NINE

PRESENT:

THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P.M.P No: 5064 of 2009

IN

W.P.No: 3893 of 2009

Between:

- 1 M/s. Mehta & Modi Homes, rep. by its Managing Partner, Soham Modi, S/o. Satish Modi, Office at 5-4-187/3 & 4, III Floor, Soham Mansion, MG Road, Secunderabad.
- 2 Ms. Hetal K. Parikh D/o. Krishna Kanth S. Parikh R/o. 5-4-187/3 & 4, III Floor, Soham Mansion, MG Road, Secunderabad.
- 3 Pravesh B. Parikh S/o. Bharat S. Parikh R/o. 5-4-187/3 & 4, III Floor, Soham Mansion, MG Road, Secunderabad.
- 4 Piyush J Parikh S/o. Jagadish S Parikh R/o. 5-4-187/3 & 4, III Floor, Soham Mansion, MG Road, Secunderabad.

..... PETITIONERS

(Petitioners in WP.No : 3893 of 2009
on the file of High Court)

AND

1. The Hyderabad Metropolitan Development Authority, rep. by its Metropolitan Commissioner, GHMC Building, West Marredpally, Secunderabad.
- 2 The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
- 3 The State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration Department, Secretariat, Hyderabad.

.....RESPONDENTS

(Respondents in -do-)

Counsel for the Petitioners: SRI VEDULA VENKATARAMANA

Counsel for the Respondent No.1: SRI M. SURENDER RAO

Counsel for the Respondents 2 & 3: G.P. FOR MUNICIPAL ADMN

Petition under Section 151 of CPC praying that in the circumstances stated that in the affidavit filed therewith, the High Court may be pleased to direct the 1st respondent to release the final layout without insisting on the No Objection Certificate from Revenue Divisional Officer/Competent Vide their letter No.2698/MP2/PIg/HMDA/2007, dated 28.01.2009 directing the petitioners to obtain No Objection Certificate from the District Collector, as per A.P. Agricultural Lands Act and Rules, 2006 notified vide G.O.Ms.No.439, Revenue dated 16.06.2007, pending WP.No.3893 of 2009 on the file of the High Court.

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The Court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

The 1st respondent is directed to release the final layout without insisting 'No Objection Certificate' under the provisions of the Act, (A.P. Agricultural Land (Conversion for non-Agricultural purposes) Act, 2006) subject to the undertaking that in the event of failing in the writ petition, they shall pay the necessary fee as required under the provisions of the Act.

SD/- B.S. CHIRANJEEVI
Asst. Registrar

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, GHMC Building, West Marredpally, Secunderabad.
2. The Principal Secretary, Revenue Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
3. The Principal Secretary, Municipal Administration Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad. (addresses 1 to 3 by RPAD)
4. One CC to Sri Vedula Venkata Ramana, Advocate (OPUC)
5. Two CCs to the G.P. for Municipal Administration, High Court of A.P., Hyderabad (OUT)
6. One CC to Sri M. Surender Rao, Advocate (OPUC)
7. One spare copy.

*rvr

HIGH COURT

NVR.J

DT 27/02/2009

ORDER
WPMP No.5064/2009
IN
WP No.3893/2009

DIRECTION

