

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 39254 of 2013

-

Date: 31.12.2013

Between :

A Ramakrishna Varma

... Petitioner

and

The State of A P

Rep by its Principal Secretary, dept of Irrigation,
Hyd and others

... Respondents

The Court made the following:

-

THE HON'BLE SRI JUSTICE P NAVEEN RAO

-

WRIT PETITION No.39254 of 2013

ORDER:

The case of the petitioner is that on 23.10.2013 section 4 (1) notification was issued proposing to acquire lands for the purpose of widening the canal.

It is the assertion of the learned counsel for petitioner that Section 4 (1) notification contemplate an enquiry under Section 5-A of the Act and so far no such enquiry was initiated and even before the proceedings are concluded in accordance with law and mandate of the Land Acquisition Act, the respondents are seeking to dispossess the petitioner compelling him to invoke the jurisdiction of this Court.

Learned Assistant Government Pleader is fair in submitting that no action will be taken unless proceedings under Section 5-A of the Act are concluded or an urgency clause is invoked by the Government. As evident from the reading of the documents filed in support of the writ petition, there does not appear to be any such move on the part of the respondents to acquire the land of the petitioner and dispossess him without following due process of law and it appears to be only an apprehension on the part of the petitioner.

Be that as it may, the matter relates to dispossession of the petitioner from the land owned by him, therefore, the writ petition is disposed of directing the respondents not to dispossess the petitioner unless and until proceedings as mandated by Land Acquisition Act are taken up and concluded. No costs.

Sequel to the same, miscellaneous petition if any stands closed.

P.NAVEEN RAO,J

DATE: 31.12.2013
TVK/KKM

HONOURABLE SRI JUSTICE P. NAVEEN RAO

-

-

-

-

-

-

-

-

-

-
-
-
-
-
-
-
-
-
-
-

WRIT PETITION No. 39254 of 2013

-

Date: 31.12.2013