

THE HON'BLE SRI JUSTICE RAJA ELANGO

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Writ Petition No.17342 of 2008

ORDER :

This writ petition is filed seeking to issue a writ of *Mandamus* directing the respondents not to dispossess the petitioner from her agricultural land situate in an extent of Ac.0.80 cents (0.50 cents + 0.30 cents) of Satyavolu Village, Pedapadu Mandal, West Godavari District without following the due process of law.

2. It is submitted by the learned counsel for the petitioner that the

3rd respondent – Mandal Revenue Officer visited the site of the petitioner and directed her to sign on some papers with an intent to take possession of her property i.e., agricultural land to an extent of Ac.0.80 cents of Satyavolu Village, Pedapadu Mandal, West Godavari District. It is further submitted that the 3rd respondent also threatened her that if she does not sign on the papers, he would dispossess her from the land forcibly. It is also further submitted that even though Section 4 (1) notice was issued, Section 5A enquiry was not conducted so far.

3. Admittedly, in the Notice under Section 4(1) of the Land Acquisition Act, the name and land of the petitioner were mentioned. However, in the counter filed by the 2nd

respondent – Revenue Divisional Officer, it is submitted that they have not taken possession of the property in view of the pendency of this Writ Petition.

4. Having regard to the fact that possession of the petitioner's land was not taken by the respondents, the Writ Petition is disposed of directing the respondents to conduct an enquiry with the petitioner herein by informing the date on which the petitioner has to appear before the concerned authority. On receipt of the notice from the respondents, the petitioner is at liberty to make her representation before the authority concerned along with all the relevant material. On such representation, the authority concerned shall pass appropriate orders in accordance with law. If the petitioner is aggrieved over any of the orders passed by the respondents, she is at liberty to approach the Court. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

02nd February, 2015

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