

IN THE HIGH COURT OF JUDICATURE AT
HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF ANDHRA PRADESH

-

W.P.No. 21551 of 2015

Between:

Ch. Leelavathi

... Petitioner

and

State of A.P. and others

-

... Respondents

DATE OF JUDGMENT PRONOUNCED: 29.7.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

- | | | |
|---|---|-----------|
| 1 | <u>Whether Reporters of Local newspapers may be allowed to see the Judgments?</u> | <u>No</u> |
| - | | |
| 2 | <u>Whether the copies of judgment may be marked to Law Reports/Journals</u> | <u>No</u> |
| - | | |
| 3 | <u>Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment?</u> | <u>No</u> |

-

-

-
-
-
THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

-
-
W.P. NO. 21551 of 2015

-
ORDER:

Heard learned counsel for the parties.

The petitioner has filed the present writ petition apprehending that her house bearing No. 1-25/1 and 1-25/2 situated at Khambampadu village, A-Konduru Mandal, Krishna district is likely to be taken up for road widening and likely to be demolished without resorting to the provisions under the Central Act 30/2013.

First respondent, however, filed a counter-affidavit wherein he specifically states in paras 4 and 5 as follows,

“4. It is submitted that as per National Highways Act, 1956 the land acquisition process was initiated and finalized for acquisition of the lands for widening of the road on NH-221 to develop the stretch to 2-lane with paved shoulders in the entire stretch along with 4-lane at isolated built-up locations. The proposals were initiated and accordingly 3A (1) proposal has been notified in the Gazette of India for acquiring the requiring the lands and as per the provisions of the said the Act. There

is no notification was issued for acquisition of the land which is claimed by the petitioner in D.No. 1-25-1, 1-25/2, in Khamabampadu village, A-Konduru Mandal, Krishna district.

5. It is submitted that the Union of India, represented by its Project Director, Machilipatnam or their staff will not interfere with the land of the petitioner as alleged in her affidavit without giving notification and in the absence of land acquisition proceedings. If the petitioner's land is required for public purpose, necessary notifications would be given for acquisition and due process of law will be followed."

In view of the above, therefore, there is no threat as apprehended by the petitioner and the first respondent specifically states that as and when if the petitioner's house is required, they will follow the due procedure of law. In view of that, no further orders are necessary to be passed in this writ petition which is accordingly dismissed along with miscellaneous applications, if any. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 29.7.2015
KR

