

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

Writ Petition No.11863 of 2015

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ORDER:

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The petitioners claim to be the owners of various extents of land situated at Timmapuram Village, Kakinada Mandal, East-Godavari District. The Tahsildar, Kakinada Rural Mandal,

the 4th respondent herein issued a notice dated 18-01-2012 to the petitioners, stating that their lands are required for the purpose of construction of protected drinking water tank. Challenging the same, the present writ petition is filed.

Heard the learned counsel for the petitioners and learned Government Pleader for Panchayat Raj and Revenue.

A perusal of the notice dated 18-01-2012 issued by the 4th respondent clearly indicates that an extent of Ac.152.24 cents of land in Thimmapuram Village, is recorded as Ava Cheruvu Poramboke, and that the same is proposed to be developed as tank under Drinking Water Scheme. Through the said notice,

the 4th respondent required the Grampanchayat to display the same in the notice board and intimate the public at large by tom tom, so as to enable the concerned to submit their objections, if any.

Learned counsel for the petitioners submits that pursuant to the notice dated 18-01-2012, the Grampanchayat itself has passed a resolution, opposing the acquisition of the land, and the petitioners, in particular, have submitted their

objections

on 18-08-2014. He further submits that the respondents are trying to dispossess the petitioners without following the due process of law.

Considering the nature of the relief that is sought in the writ petition and considering the fact that the land is proposed to be utilised for a larger public interest, the interest of justice would be met if a direction is given to the respondents to consider the objections raised by the petitioners, and only thereafter take any further action following due procedure enjoined in law, before the petitioners are dispossessed.

Accordingly the writ petition is disposed of.

The miscellaneous petition filed in the writ petition shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J.

Dt.28-04-2015.

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