

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.20011 of 2012

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ORDER:

The petitioner prays for Mandamus declaring the action of respondent Nos. 2 and 3 in calling upon the petitioner to vacate from his landed property measuring Ac.0.50 cents out of Ac.2.02 cents in S.No.641/2 of Dharmajigudem Revenue village, Lingapalem Mandal, West Godavari District without following the procedure followed by law as illegal and unconstitutional.

It appears from the averments in the affidavit that the Officers visited the petition land by which time neither draft declaration is published muchless any compensation is paid to the petitioner to call upon him to vacate from the petition land apprehending unauthorised and forcible dispossession. The petition claims to have invoked the jurisdiction of this Court under Article 226 of the Constitution of India. Through the order dated 04.07.2012 this Court protected the possession of petitioner. The respondents filed a petition to vacate the interim order and as per the counter-affidavit filed, the definite case of respondents is that Section 4(1) notification under Land Acquisition Act was gazetted on 07.11.2012. The enquiry under 5-A is pending. As a matter of fact, one Sri E.Srinivasa Babu, Advocate filed objections on behalf of the petitioner and the said objections are receiving the attention of respondents. It is further stated that the writ petition is filed without cause of action. As the respondents are proceeding in accordance with law and are considering to take possession only as prescribed by law, the stand taken by the respondents is placed on record.

Accordingly, the writ petition is disposed of. No order as to costs.

Consequently, miscellaneous petitions if any, pending in this petition shall stand closed.

S.V.BHATT, J

25th March, 2015

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