

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.1244 of 2007

-

ORDER :

This writ petition is originally filed seeking to issue a writ of *Mandamus* to declare the action of the 2nd respondent – Revenue Divisional Officer, Gudivada, in issuing notice under Section 9(3) of the Land Acquisition Act, as illegal and arbitrary and consequently direct the respondents to follow the procedure as contemplated under Section 3(A) and reconsider petitioners' objections in accordance with law. Subsequently, the prayer of the writ petition was amended to questioning the 4 (1) notification.

2. This Court by way of an interim order dated 23-01-2007 in W.P.M.P. No.1580 of 2007 stayed all further proceedings in the matter.

3. When the matter is posted today for final hearing, it is represented by the learned counsel for the petitioners that petitioners identified an alternate site for construction of houses under Indiramma Scheme and consequently houses were also constructed in the said site. It is further represented by the learned counsel for the petitioners that the petitioners reliably learnt that Authorities also decided not to acquire their land in view of the construction made in

the alternate site.

If there is any such communication between the officials for deleting the land belongs to the petitioners from the notification, the authorities are directed to delete the same in view of further developments in the matter.

4. Accordingly, recording the submission made by the learned counsel for the petitioners, the Writ Petition is disposed of as infructuous. However, if there is anything contrary to the submission made by the learned counsel for the petitioners, the petitioners are at liberty to approach this Court for appropriate remedy. No order as to costs.

5. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

12th March, 2015

skmr