

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.1372 of 2007

ORDER :

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the notification issued by the Respondent No.2 under Section 4(1) of Land Acquisition Act, dated 07.01.2007 vide Memo.No.D3/71/07 and the consequential draft declaration under Section 6 of Land Acquisition Act, dated 07.01.2007 vide Memo.No.D3/71/2007 as illegal and arbitrary insofar as they relate to 82 sq. yds. of the petitioners' land in D.No.8-3-1, 8-3-367, T.S.No.3, Ward No.107, Block "C", St. Mary's Road, Secunderabad and consequently direct the respondent to forthwith pay the compensation for an extent of 66.3 sq. yds. of land and structures thereon demolished by respondents on 28.08.2005 forming part of D.No.8-3-1 to 3, 8-3-367/1 and 2 and 8-3-368 of St.Mary's road, Secunderabad to the petitioners.

2. When the matter is taken up for hearing, the learned counsel for the petitioners submits that since the petitioners have already received the compensation from the 02nd Respondent, the cause in the writ petition does not survive for adjudication and the writ petition has become infructuous.

3. Recording the said submission, the Writ Petition is dismissed as infructuous. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

28th January, 2015

skmr