

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18319 of 2016

ORDER:

The grievance of the petitioners is that their possession and enjoyment of the agricultural lands situated in survey Nos.48 and 49 at Komatlagudem Revenue Village, Singareni Mandal of Khammam District, is sought to be interfered under the "Mission Kakatiya Project" without issuing any notice, without acquiring the land and without payment of any compensation to the petitioners.

Learned counsel for the petitioners places reliance on the order dated 08.02.2016 passed by this Court in W.P.M.P.No.4780 of 2016 in W.P.No.3741 of 2016.

Heard the learned Government Pleader for Respondents.

Prima facie material placed before this Court discloses that the petitioners are the owners of their respective properties and they are in possession and enjoyment of the agricultural lands situated in survey Nos.48 and 49 of Komatlagudem Revenue Village, Singareni Mandal of Khammam District. Admittedly, there are no land acquisition proceedings initiated as required under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to acquire the lands of the petitioners. In that view of the matter, the interference of the respondents with the peaceful possession and enjoyment of the petitioners in any manner could be violative of the mandate of the Act and offending the rights of the petitioners under Article 300-A of the Constitution of India. At the same time, it cannot be said that the lands of the petitioners cannot be acquired for public purposes.

Therefore, in the interest of justice, I deem it appropriate to direct the respondents not to undertake any works in survey Nos.48

and 49 of Komatlagudem Revenue Village, Singareni Mandal of Khammam District, without putting the petitioners on notice and without acquiring their lands by paying due compensation to them.

With above direction, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM, J.

10th June, 2016
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