

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3995 of 2006

ORDER:

1. This writ petition was filed by the agreement holder challenging the notification issued under Section 4 (1) of the Land Acquisition Act on 20.03.2002 and also draft declaration issued under Section 6 of the Land Acquisition Act on 17.12.2002.
2. Even before filing the present writ petition, the land owners filed W.P.No.25356 of 2004 challenging the same notification and declaration and this Court by an order dated 31.12.2004 directed *status quo* to be maintained by both the parties. The said writ petition was dismissed by orders of this Court dated 28.10.2013 by recording the statement made by the 3rd respondent that an award was passed in Award No.5 of 2004 in respect of the land on 04.11.2004 and by virtue of the said award the land vested with the Urban Development Authority, Visakhapatnam, free from all encumbrances. Since the said award was prior to the orders of *status quo* passed by this Court, it was held that no cause of action survives in the writ petition.
3. In view of dismissal of the writ petition filed by the land owners, nothing survives for adjudication in the present writ petition at the instance of the agreement holder and in the absence of any interim orders in the present writ petition.

4. The Writ Petition is accordingly dismissed as infructuous. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

02-11-2016
Gsn

