

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.12602 of 2006

ORDER

This writ petition was filed challenging the notification issued under Section 4 (1) of the Land Acquisition Act, 1894 (for short "the Act") and declaration under Section 6 of the Act published on 23.5.2006 acquiring the land admeasuring Ac.1.28 cents in Sy.No.235 of Peddapalli Village, Yelamanchili Mandal, Visakhapatnam District, for the purpose of providing house sites to the weaker sections.

This Court by order dated 23.06.2006 granted interim stay, as a result of which, further proceedings could not have taken place.

Since the acquisition is for providing house sites and in view of the interim stay granted, this Court feels no urgency to dispense with the enquiry under Section 5-A of the Act.

In the circumstances, declaration under Section 6 of the Act, dated 23.5.2006 is set aside and the 2nd respondent is directed to conduct enquiry under Section 5-A of the Act giving due opportunity to the petitioner and pass appropriate orders, in accordance with law. No costs.

Accordingly, the Writ Petition is allowed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

9th November, 2016

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