

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 16460 OF 2016

ORDER:

This Writ Petition has been filed seeking a *mandamus* declaring the action of the respondents in interfering with the possession of the petitioners over their schedule lands under 'Neeru-Chettu' programme, without following the procedure under the Land Acquisition Act, as illegal and arbitrary. Consequently, the petitioners seek a direction to the respondents not to interfere with their possession over the lands in Survey Nos. 567/2G, 567/2H, 567/2J and 567/2F, admeasuring Ac.2.60 cents situated in Dronadula Village, Martur Mandal, Prakasam District.

The Tahsildar, Martur Mandal, has filed a counter-affidavit, in paragraph 3 of which, it has been stated:

“..... The subject land is classified as 'Kunta Poramboke', hence we have entered into the subject land only for enquiring the details of the land holders who have been given the D.K. pattas by the Government. I submit that we have not initiated any proceedings under the Land Acquisition Act and we have entered the land only for verifying the occupants of the subject land, as it is classified as Kunta Poramboke as per R.S.R. of Dronadula Village of Martur Mandal and it is necessary for deepen the water bodies under 'Neeru-Chettu' programme.”

Heard learned counsel for the petitioners.

Learned Government Pleader for Irrigation (Andhra Pradesh) submits that if the subject land is necessary for undertaking 'Neeru-Chettu' programme, without following the procedure established by law, without acquiring the land and without adequately compensating the petitioners under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, no activity would be taken up therein.

Recording the said submission, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J

17th June 2016

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