

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21792 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 due procedure, 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. 383 and 388-2 situated in Pedda Pavani Village, Lingasamudram Mandal, Kandukur Revenue Division, Prakasam District.

Heard learned counsel for the petitioners.

Learned Government Pleader for Irrigation (Andhra Pradesh) disputes about the alleged interference and he categorically submits on instructions that they have not at all interfering with the petitioners' land in any manner and he seeks same to be recorded emphatically. Learned Government Pleader further 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. Learned counsel for the petitioners is given liberty to communicate the orders of this Court to the effect that the respondents shall not interfere with the peaceful possession and enjoyment of the petitioners over an extent of Ac.8-66 cents and Ac.3-14 cents of the petitioners respectively situated in Sy.Nos.383 and 388-2 of Pedda Pavani (V), Lingasamudram (M), Kandukuru Revenue Division, Prakasam District, without following due process of law and the said communication shall be considered as a communication for the purpose of contempt. No

costs.

Consequently, the Miscellaneous Applications pending, if any, shall stand disposed of.

CHALLA KODANDA RAM, J

Date:04.07.2016
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