

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 24203 of 2007

Order:

This Writ Petition was filed challenging the enquiry alleged to have been conducted by the second respondent on 20.08.2007 and the consequential order passed by the first respondent on 09.10.2007 and the consequential declaration published by the first respondent on 19.10.2007 as illegal.

This Court, by order dated 15.11.2007, directed the respondents not to dispossess the petitioners from their respective lands, but liberty was given to complete other legal formalities.

In view of the said liberty, award enquiry was conducted and an award was passed on 28.06.2008. After passing of the award, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act') came into force with effect from 01.01.2014 and Sub-Section 2 of Section 24 of the Act states that if the award was made under Section 11 of the Land Acquisition Act, 1894, five years or more prior to the commencement of the Act but the physical possession of the land has not been taken, the proceedings would lapse and fresh proceedings have to be taken. In view of the same, the entire proceedings for acquisition of the land for the purpose of Indiramma Programme stood lapsed and the draft declaration made on 13.10.2007 so far as the lands of the petitioners are concerned also lapsed.

The Writ Petition is, accordingly, allowed. There shall be no order as to costs.

As a sequel thereto, the Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 26.10.2016
Nsr

