

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

MONDAY THE TWELVETH DAY OF SEPTEMBER, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 30642 OF 2016

Between:

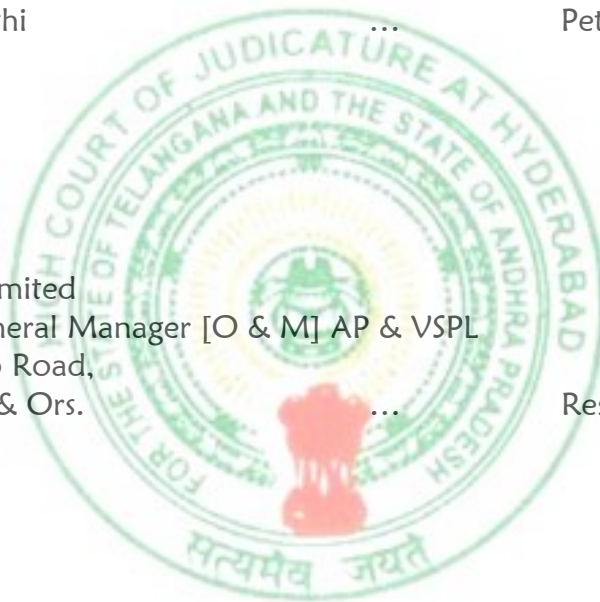
Meka Saraswathi

Petitioner

V/s.

GAIL [India] Limited
Rep. by its General Manager [O & M] AP & VSPL
A.V. Appa Rao Road,
Rajahmundry & Ors.

Respondents



Counsel for the Petitioner:

Sri Ch. Dhanamjaya

Counsel for the Respondents:

Sri Singam Srinivas Rao for R1 & R2

The court made the following:

[order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAITWRIT PETITION NO. 30642 OF 2016ORDER :

This writ petition is filed by the petitioner seeking mandamus to declare the proposed action of the respondents in trying to take possession of part of petitioner's land to an extent of Ac:0-12 cents in survey No. 290/15 situated at Vedullapalem village hamlet of Lankala Koderu, Palakole Mandal, West Godavari district for the purpose of laying the pipelines across the residential colony without following due process of law as ex-facie illegal, arbitrary, violative of principles of natural justice as well as Article 300-A of the Constitution of India and for a consequential order to direct the respondents to drop all further proceedings in trying to take possession of part of petitioner's land to an extent of Ac:0-12 cents in survey No. 290/15 situated at Vedullapalem village, hamlet of Lankala Koderu, Palakole Mandal, West Godavari district for the purpose of laying the pipelines across the residential colony without

following due process of law and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard Sri Ch. Dhanamjaya, learned counsel appearing on behalf of the petitioner and Sri Singam Srinivas Rao, learned Standing Counsel for respondents 1 and 2.

3. Learned Standing Counsel appearing on behalf of respondents 1 and 2 on advance notice submits that the respondents are not laying new gas pipeline, however, replacing the old one, for which the petitioner has already received compensation.

4. Learned counsel for the petitioner disputes the fact stated by the counsel for the respondents mentioned above.

5. Be that as it may. As stated by the learned standing counsel for the respondents 1 and 2, I hereby make it clear that if the respondents are replacing the old gas pipeline they can proceed, however, the respondents cannot lay fresh gas pipeline or divert gas pipeline in the petitioner's land to an extent of Ac: 0-12 cents in

survey No. 290/15 situated at Vedullapalem village, hamlet of Lankala Koderu, Palakole Mandal, West Godavari district.

6. I hereby further make it clear that if any cause of action arises on the land of the petitioner, she may approach the appropriate forum for redressal of her grievance.

7. In view of the above direction, the writ petition is disposed of at the stage of admission. No costs.

8. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.



JUSTICE SURESH KUMAR KAIT.

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 30642 OF 2016



Date: 12/09/2016
Circulation No.
Court Master: I s L