

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.32364 of 2016

ORDER:

Vide the present petition, the petitioner seeks Mandamus declaring the action of the respondents in trying to illegally dispossess the petitioner from his lands in Sy.No.211 admeasuring Ac 1.02 cents, in Sy No.212 admeasuring Ac.2.79 cents, in Sy.No.153/2 admeasuring Ac 0.99 cents, in Sy No.154/3 admeasuring Ac 0.76 cents in Sy.No.155/B admeasuring Ac 2.20 cents in Sy No.152/1 admeasuring Ac.0.41 cents situated at Pedditipakam village, Satyavedu Mandal, Chittoor District without any notice and without initiating proceedings under Act 30 of 2013, as illegal and arbitrary.

Heard learned counsel for the petitioner and the learned Government Pleader for Land Acquisition (AP).

Learned counsel appearing on behalf of the petitioner submits that vide Land Acquisition proceedings Roc No.3789/2006 (Declaration under Section 6 of the Land Acquisition & Compensation Act) dated 18.04.2007, the lands of the petitioner vide Survey No.144/3. 144/11 and 152/1 to an extent of Ac 0.21 cents, Ac 0.16 cents and Ac 0.24 cents respectively have been acquired and compensation was paid to the petitioners.

Learned counsel further submits that since the lands of the petitioners in Sy No.154/3 and 155/B are not contained in

the said Declaration, dated 18.4.2007, and they have not received any compensation, therefore the 4th respondent cannot enter into the land and take possession of the same.

In view of the averments made in the instant petition and the submissions of the learned counsel for the petitioner, I hereby direct the respondents not to dispossess from the lands in Sy No.154/3 and 155/B of the petitioner, without due process of law.

With the above direction, the Writ Petition is disposed of. No costs. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date :23-09-2016

Gvl

