

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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W.P. No. 23541 of 2016

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DATE: 11.08.2016

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Between:

Mekala Lingamma

.. Petitioner

And

The State of Andhra Pradesh
and four others

.. Respondents

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ORDER:-

The assertion of the writ petitioner is that she is the absolute owner and possessor of agricultural lands in an extent of Ac.0.87 and Ac.0.33 cents in Sy.Nos.46 and 62/2E respectively situated in Kamayyapalem Revenue village, Jeelugumilli Mandal, West Godavari District having acquired the same from her parents by way of succession.

Now, the petitioner's grievance is that respondent Nos.2 to 5, without initiating land acquisition proceedings under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and without paying compensation, are threatening her to vacate the land in question on the ground that the lands are required for public purpose i.e. for construction of Chintalapudi Lift Irrigation Scheme. Hence, the present writ petition is filed seeking appropriate directions.

Heard the learned counsel for both the parties and perused the material placed on record.

Keeping in view the averments made in the writ

petition and the submissions of the learned counsel for both the parties, this writ petition is disposed with the a direction to Respondent Nos. 2 to 5 not to evict the petitioner from her lands without following the due procedure contemplated under the statute. It is needless to mention that if the petitioner is still aggrieved by the action or inaction of the respondents, she may approach appropriate forum. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

11.08.2016

bcj