

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.21862 of 2016

ORDER:

Learned counsel appearing for the petitioners submits that the lands of the petitioners admeasuring Ac.51-51 guntas in Survey Nos.77/2, 78/2, 79/2, 93/2, 94/2, 95/2 and 96/2 with bore wells, pipeline and citrus garden, situated in the limits of Nattempad and Nagardoddi villages, Dharoor Mandal, were acquired by the 3rd respondent-Special Deputy Collector, Land Acquisition, Priyadarshini Jurala Project, Gadwal, Mahabubnagar District, by way of issuing Section 4(1) notification vide proceedings No.C/133/2013 dated 6.10.2013. But till date, neither the 3rd respondent passed the Award nor permitting the petitioners to cultivate the lands.

2. Learned Government Pleader submits that it is not clear from the petition as to whether the land of the petitioners have been acquired by the 3rd respondent, and therefore no proper instructions have come to him from the Department.

3. Keeping in view the averments in the writ affidavit and the submission made by the learned counsel for the petitioner, I hereby make it clear that if the land of the petitioner is not acquired vide Section 4(1) notification proceedings dated 6.10.2013, then no action is required

from the 3rd respondent. On the contrary, if the lands of the petitioners are acquired as averred in the writ affidavit, the 3rd respondent is directed to pass the Award, in accordance with law, within three months from the date of receipt of a copy of this order; failing which the 3rd respondent shall permit the petitioners to cultivate the lands till the Award is passed in favour of the petitioners.

4. The writ petition is, accordingly, disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

04th August, 2016
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