

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.Nos.10556, 10948 & 10949 of 2006

COMMON ORDER

All these writ petitions are disposed of by this common order as they are filed against common notification issued on 25.5.2006 under Section 4 (1) Land Acquisition Act, 1894 (for short "the Act") and published in the dailies on 26.5.2006 dispensing with enquiry under Section 5-A of the Act by invoking the urgency clause under Section 17 (4) of the Act.

The petitioners in all these cases are claiming to be tenants of the 3rd respondent-temple.

Learned counsel appearing for the petitioners submits that after filing of this writ petition, pursuant to the order of the Government, sale deeds were executed in their favour, but the learned counsel appearing for the 3rd respondent is disputing the same.

Be that as it may, learned counsel on either side including the learned Government Pleader agreed that enquiry under Section 5-A of the Act can be conducted pursuant to the notification issued on 25.5.2006 seeking acquisition of the land for the purpose of providing house sites to the weaker sections. The land under notification is Ac.136.10 cents situated in Adivivaram Village of Visakhapatnam District.

In view of the consensus expressed by the learned counsel appearing for the parties, all the writ petitions are disposed of

directing the 1st respondent to conduct enquiry under Section 5-A of the Act pursuant to the notification issued under Section 4 (1) of the Act on 25.5.2006 and consider the objections of the petitioners and other objectors, if any, and pass appropriate orders in accordance with law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

9th November, 2016
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