

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.13840 OF 2007

ORDER :

This writ petition is filed challenging the proceedings of the 1st respondent in Ref.B.1200/2007, dated 11.06.2007, wherein he directed the petitioner not to obstruct the passage of men material through the land owned by the petitioner in Sy.Nos.61/1 to 61/7 stating that the said order is passed protecting the easement rights of surrounding riots. In the said order, it is also stated that the petitioner is not entitled for compensation.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for the respondents 1 to 4.

Though notice is served on the 5th respondent, there is no appearance on his behalf.

A perusal of the impugned order goes to show that a direction was issued by the 1st respondent to the petitioner in respect of his land in Sy.No.61/1 to 61/7 not to obstruct the men and material through the said land. It is also admitted that the subject land belongs to the petitioner. When once the land belongs to the petitioner, until it is acquired, the 1st respondent has no authority to pass the impugned order in respect of the land owned by the petitioner. More so, it is stated in the impugned order that the petitioner is not entitled for compensation.

In view of the same, the impugned order dated 11.06.2007 to the extent of directing the petitioner not to obstruct the men and material through the land belonging to the petitioner in Sy.No.61/7 to 61/7 is set aside.

Accordingly, this writ petition is allowed to the extent indicated above. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stands closed.

A.RAJASHEKER REDDY, J

03.11.2016

kvs



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