

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

[Special Original Jurisdiction]

WEDNESDAY THE THIRTYFIRST DAY OF AUGUST, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 19659 OF 2016

Between:

Punem Mahalakshmi ... Petitioner

V/s.

State of Andhra Pradesh
Rep. by Principal Secretary to Govt.
Irrigation & CAD Department
A.P.Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri Namavarapu Chanti Babu

Counsel for the Respondents: GP for Land Acquisition [AP]
GP for Irrigation [AP]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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WRIT PETITION NO. 19659 OF 2016

ORDER :

Vide the present writ petition, the petitioner seeks mandamus, declaring the action of respondents in insisting the petitioner to vacate from her agricultural land admeasuring Ac: 2-00 cents in survey No. 27/12 situated at Palacherla Rajavaram village, Jeelugumilli Mandal, West Godavari district for the purpose of construction of Chintalapudi Lift Irrigation Scheme, without following the procedure established by law, as illegal, irregular, irrational, without any authority of law, violative of the provisions of 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Rules framed thereunder and violative of Articles 14, 21 and 300-A of Constitution of India and consequently to direct the respondents not to dispossess the petitioner from the above said land, without following due procedure established by law and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard learned counsel for the petitioner, learned

Government Pleader for Land Acquisition [AP] and learned Government Pleader for Irrigation [AP].

3. Keeping in view of the averments made in the affidavit filed in support of the petition and submission of the counsel for the petitioner, I direct the respondents not to dispossess the petitioner from her agricultural land admeasuring Ac: 2-00 cents in survey No. 27/12 situated at Palacherla Rajavaram village, Jeelugumilli Mandal, West Godavari district, without following due process of law.

4. In view of the above direction, the writ petition is disposed of at the stage of admission. No costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT.

31/08/2016
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HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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