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ORDER:-

This writ petition is filed for the following substantive relief:

“....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings vide Ref.NH-216(LA)-21/2015, dated 12.06.2015 issued by the 2nd respondent, as illegal and arbitrary and to set aside the same.”

The learned counsel for the petitioners has submitted that the 1st and 2nd respondents issued Notification for acquisition of the land in an extent of Ac.1.40 cents in Sy.No.106/2. However, without issuing separate Notification, and rejecting the objections filed by the petitioners vide impugned proceedings dated 12.06.2015, the 1st and 2nd respondents are intending to acquire the petitioners' land in an extent of Ac.1.345 cents in Sy.No.106(2) situated in Kathipudi Panchayat / village which is arbitrary and illegal.

Sri S.S.Varma, learned Standing Counsel for National Highway Authority of India appearing for the 3rd respondent, on instructions, has submitted that the land in an extent of Ac.1.345 cents belonging to the petitioners shall not be acquired without following the due process of law.

In view of the submission of the learned Standing Counsel, this writ petition is disposed of directing the

respondents not to acquire the land belonging to the petitioners in an extent of Ac.1.345 cents in Sy.No.106(2) situated in Kathipudi Panchayat / village without following the due process of law. It is made clear that if the respondents intend to acquire any land belonging to the petitioners, the same shall be communicated to the petitioners as per the provisions of the Land Acquisition Act, 1894. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

23.08.2016

bcj