

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.32551 of 2016

ORDER:

Vide the present petition, the petitioner seeks Mandamus declaring the action of the respondents in trying to illegally dispossess the petitioner from his various lands as stated in the writ affidavit situated at Pedditipakam Village, Satyavedu Mandal, Chittoor District, without any notice and without initiating proceedings under Land Acquisition, Rehabilitation and Resettlement Act 30 of 2013, as illegal and arbitrary.

Heard learned counsel for the petitioner and the learned Government Pleader for Land Acquisition (AP).

Learned counsel appearing on behalf of the petitioner submits that initially the respondents intend to acquire the lands in Survey Numbers mentioned in the prayer. However, after receiving the objections from the petitioner, the District Collector, Chittoor, finally issued notified Draft Declaration under Section 6 of the Land Acquisition Act (for short "the Act"), whereby, only Sy Nos.201, 206 and 207 to the extent of Ac 1.33 cents Ac 0.15 cents and Ac 0.38 cents respectively were notified. He submits that survey numbers mentioned at page No.60A and at page No.70 in proceedings vide Roc No.3792/2006, dated 18.04.2007 were acquired by the respondents to the extent of land mentioned therein. However, the respondents are trying to take the entire land in which the possession of the petitioner.

Keeping in view the averments made in the instant petition and the submissions of the learned counsel for the petitioner, I hereby direct the respondents not to dispossess the petitioner from the lands which were not acquired vide Declaration under the Act, dated 18.04.2007.

I hereby make it clear that if any decision is taken by the respondents qua the properties of the petitioner, the same shall be communicated in writing to the petitioner within one week from the date of the decision.

With the above direction, the Writ Petition is disposed of. No costs. Pending miscellaneous petitions, if any, shall stand closed.



JUSTICE SURESH KUMAR KAIT.

Date :23-09-2016

Gvl