

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.12317 of 2016

ORDER:

The grievance of the petitioner is that her possession and enjoyment of the agricultural land over an extent of Ac.3-12 gts., situated in Sy.No.18 of Chinnakunta, Battapalli Village, Sarangapur Mandal, Jagtial Division, Karimnagar District, is sought to be interfered under the "Mission Kakatiya Project" without issuing any notice, without acquiring the land and without payment of any compensation to the petitioner.

Learned counsel for the petitioner places reliance on the order dated 08.02.2016 passed by this Court in W.P.M.P.No.4780 of 2016 in W.P.No.3741 of 2016.

Learned Government Pleader for Respondents, on instructions, submits that the tenders have already been invited for restoration of Chinna Kunta in Battapalli Village by way of e-procurement on 01.04.2016.

Prima facie material placed before this Court discloses that the petitioner is the owner of the property and she is in possession and enjoyment of the agricultural land over an extent of Ac.3-12 gts., situated in Sy.No.18 of Battapalli village of Sarangapur Revenue Mandal, Jagtial Revenue Division, Karimnagar District. Admittedly, there are no land acquisition proceedings initiated as required under Land Acquisition Act, 2013 to acquire the land of the petitioner. In that view of the matter, the interference of the respondents with the peaceful possession and enjoyment of the petitioner in any manner could be violative of the mandate of the Act and offending the rights of the petitioner under Article 300-A of the Constitution of India. At the same time, it cannot be said that the property of the petitioner cannot

be acquired for public purposes.

Therefore, in the interest of justice, I deem it appropriate to direct the respondents not to undertake any works in Sy.No.18 of Battapalli Village, Sarangapur Mandal, Jagtial Revenue Division, Karimnagar District, without putting the petitioner on notice and without acquiring her land by paying due compensation to her.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM, J.

Date: 12.04.2016
Ssv