

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17003 OF 2016

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Panchayat Raj.

The grievance of the petitioners is that the respondent authorities have dumped material for laying road through the petitioners' agricultural wet land admeasuring Ac.0.66 cents in R.S.No.246/3U in Marrithippa Village, Narsapur Sub-Registry, Narsapur Mandal, West Godavari District. The petitioners state that without initiating proceedings under the provisions of Land Acquisition Act, 1894 or under any law, the respondent authorities are taking steps for laying road.

Considering the grievance of the petitioners and also the settled legal position that the citizens property rights under Article 300A of the Constitution of India are to be protected, it is appropriate to direct the respondent authorities not to interfere with the possession of the petitioners and not to carry out any construction work or other activities over the land in question without following due process of law and without paying compensation as required under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

CHALLA KODANDA RAM, J

Date:02.06.2016
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