

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.7335 OF 2017

ORDER:

The case of the petitioners is that 1st petitioner is the absolute owner of the agricultural land admeasuring Ac.0-10 cents in Sy.No.476-1, Ac.3-26 cents in Sy.No.476-3, Ac.0-50 cents in Sy.No.473 and 2nd petitioner is the absolute owner of the land admeasuring Ac.0-37 cents in Sy.No.508-1, Ac.1-07 cents in Sy.No.509-1A and 3rd petitioner is the absolute owner of the land admeasuring Ac.0-43½ cents in Sy.No.497-5, Ac.0-44 cents in Sy.No.497-6, Ac.0-79 cents in Sy.No.497-7 situated at Anathapuram Village, Chapadu Mandal, YSR Kadapa District. While so, on 23.02.2017, the revenue officials of 3rd respondent visited the lands of the petitioners and decided to lay a road in Kalvaporambok, though there is no existing road. Petitioners along with others opposed the said proposal as their lands are adjacent to the canal and if the respondents lay the road, the petitioners' lands will get submerged. Even according to the RSR, existing road is situated at Sy.No.480 and 482. Without considering the said aspects, the respondent authorities are taking step to lay the road adjacent to the canal. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners submits that without initiating land acquisition proceedings and without issuing notice to the petitioners, the respondents are trying to lay a road through the petitioners' lands and also in Sy.No.496 which

is canal. He further submits that if the road is laid, the petitioners' lands get inundated and may cause huge loss to the petitioners. As such, they made a representation to the 2nd respondent.

Learned Assistant Government Pleader for Revenue produced written instructions stating that respondents are not laying any road through the petitioners' land and that they are laying road in the Government land. He further submits that there is no proposal for laying the road in Sy.No.496 which is a Vaagu poramboke.

In view of the above facts and circumstances, since it is stated that petitioners already made a representation to the 2nd respondent-District Collector in respect of their grievance, the 2nd respondent is directed to consider the same and take a decision accordingly. However, if the respondents want to lay the road across the petitioners' land, the same can be done by following due process of law.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

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

A.RAJASHEKER REDDY, J

06.04.2017
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