

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.23743 of 2008

ORDER:

Heard learned counsel for petitioner and the Assistant Government Pleader for Land Acquisition.

The petitioner prays for the following relief :-

“....to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the land acquisition proceedings initiated against the Petitioner's land pursuant to the Notification issued under Section 4(1) of the Land Acquisition Act , bearing Ref. G2/ 3976/ 2008 dt.15-7-2008 and also the Draft Declaration issued U/s. 6 of Land Acquisition Act, bearing Ref.G2/ 3976/ 2008, dt. 30-9-2008 for acquisition of land of an extent of Ac 0.86 cents situated in Sy.No.37/ 5 belonging to the petitioner in Uddanda Jagannadhapuram Village, Prathipadu Mandal, East Godavari District, as illegal, arbitrary, unjust and consequently direct the respondents to drop all further proceedings against the petitioner's land in this regard”.

On 31.10.2008, this Court granted interim stay insofar as the land of the petitioner.

Learned Assistant Government Pleader, places on record letter Ref.No.E/ 643/ 2008, dated 02.08.2017, which reads thus :-

“I invite kind attention to the reference cited, wherein it was directed to submit the present status of the land in S.No.37/ 5 measuring an extent of Ac.0.86 cts of Uddanda Jagannadhapuram village of Prathipadu Mandal with regard to Sri Karri Apparao, who filed W.P.No.23743/ 2008 before the Hon'ble High Court, AP,

Hyderabad as the land previously notified under SWLA house sites to the villagers of Annavaram village.

I submit that the land covered by W.P.No.23743/ 2008 is under the possession of the land owner and no compensation was paid. We are not proceeding further to acquire this land at the point of time due to changed circumstances.

Fresh Land Acquisition proceedings will be initiated under the provisions of new Land Acquisition Act, if the land is still required to provide the house sites to poor families as and when the instructions received from the Government.”

From the above, it is clear that the respondents are not pursuing with the land acquisition impugned in the writ petition and are intending to issue fresh land acquisition proceedings under the Act 30 of 2013, if circumstances warrant.

The statement is placed on record.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.


S. V. BHATT, J

Date:10-08-2017
Prv

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