

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.22013 of 2008

ORDER:

Heard Mr.P.Narahari Babu for petitioners and the learned Assistant Government Pleader for Land Acquisition.

2. The petitioners pray for the following relief:

“.....to issue an order, writ or direction more particularly in the nature of writ of Mandamus declaring the notification issued in Roc.No.1522/2007/SDT dated 11-09-2008 published in local news paper Vaartha Telugu Daily Dated 22-09-2008 issued by the 2nd respondent under Section 4(1) of the Land Acquisition Act in respect of land belongs to petitioners in an extent of 9-13 cents in Sy.No.108 and an extent of Ac.0.65 in Sy.No.109 of Manesamudram Village, Hindupur Mandal, Anantapur District as illegal, arbitrary and contrary to law and violative of Articles 21 and 300-A of the Constitution of India and violation of Land Acquisition proceedings consequently to set aside the above said notification by directing the respondents not to disturb the peaceful possession of the petitioner and pass such order or orders that the Hon'ble Court may deem fit and proper in the interest of justice.”

3. This Court, on 30.09.2008, granted interim stay as prayed for.

The respondents filed petition to vacate the interim order.

4. At the time of hearing, the learned Assistant Government Pleader places on record written instructions Rc.No.199/2008/B, dated 07.09.2017, and the operative portion reads thus:

“Presently, the subject land in Sy.No.108, Ext.9.13 cents and an extent of Ac.0.65 in Sy.No.109 of Manesamudram Village, Hindupur (M) is laying waste without any cultivation. As seen from the Web Land of Manesamudram Village, in Sy.No.109 the PPB and TD stands in the name of Sri Mylarappa S/o.Buddappa to an extent of Ac.5.04 as per IB No.53, and in Sy.No.108-1, 108-2A Total Ext. 3.18 acres the PPB and TD stands in the name of K.Lakshmid devi W/o.Mallikarjuna as per the IB No.54, Sy.No.108-2B, Ext. 1.38 acres the PPB TD stands in the name of Sri Jayasankaru S/o.Lingappa as per IB No.55, and Sy.No.108-3, Ext. 2.28 the PPB and TD stands in the name of Ramachandra S/o.Lingappa as per IB No.56 and Sy.No.108-4, Ext. 2.28 the PPB and TD stands in the name of Sridhar S/o.Lingappa as per IB No.57 of Manesamudram (V), Hindupur (M). Hence, as per the interim direction of the Hon’ble High Court of Andhra Pradesh there is no further action has been initiated. Further it is submitted that this land is not taken possession so far and not require at this juncture, thus this Writ Petition is liable for dismissal.”

5. The Assistant Government Pleader having regard to the latest instructions submits that the land acquisition proposals impugned in the writ petition are not pursued.

6. The statement is placed on record.

7. Accordingly, the writ petition is ordered by setting aside the notification impugned in the writ petition.

8. Miscellaneous petitions, if any, pending, shall stand closed. No order as to costs.

S. V. BHATT, J

13th September 2017

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