

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.23784 of 2008

ORDER:

Heard Sri Challa Venkat counsel for petitioner and the Assistant Government Pleader for Land Acquisition.

The petitioner prays for the following relief :-

“.....to issue Writ of Mandamus or any appropriate writ or order or direction declaring the action of the respondents in issuing notification U/ Sec.4(1) of the Act in Ref.G2/ 2265/ 2008 dated 22-4-2008 proposing to acquire the petitioner's land in R.S.No.275/ 2 to an extent of Ac.2.78 cents situated at Uppalapadu (V), Gandepalli (M), East Godavari District, without conducting personal enquiry contemplated U/ Sec.5A of the Act as illegal, contrary to law and for a consequential order to set aside the proceedings Ref.G2/ 2265/ 2008 dated 22-4-2008 issued by the 1st respondent for acquiring the lands of the petitioner herein.....”

On 11.11.2008, this Court granted interim stay of further proceedings for a period of two weeks and on 17.11.2008, the interim order has been extended until further orders.

Learned Assistant Government Pleader, places on record letter Ref.No.E/ 797/ 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.275/ 2 measuring an extent of Ac.2.78 cts of Uppalapadu village of Gandepalli Mandal with regard to Smt.Parasa Chandravathi, who filed W.P.No.23784/ 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.23784/ 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

