

HON' BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.12296 of 2007

ORDER:

This writ petition is filed questioning the action of the respondents in issuing the notification under Section 4(1) of the Land Acquisition Act (for short 'the Act') and consequential proceedings dated 04.05.2007 proceeding to acquire the lands belonging to the petitioner admeasuring Ac.0.75 cents in Sy.No.346/ 6 of Karavadi village H/o Dasarajupally Village.

2. The brief facts, which are relevant for the disposal of this writ petition, are that the petitioner is the owner of the land in an extent of Ac.4.41 cents in Karavadi Village in Sy.No.346/ 6. The 1st respondent issued a notification under Section 4(1) of the Act on 04.01.2007 proposing to acquire the lands of the petitioner admeasuring Ac.0.75 cents along with certain other lands of others, totalling admeasuring Ac.12.21 cents for the purpose of providing dumping yard for the Ongole Municipality. Though the petitioner is a small farmer, his lands are sought to be acquired under land acquisition proceedings.

3. This writ petition was admitted on 14.06.2007 and stay of all further proceedings was granted on the same day.

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

5. Learned Assistant Government Pleader (LA) placed the written instructions of the District Collector, Ongole dated 01.12.2017 before this court, wherein it is stated *inter-alia* that as per the report of the Tahsildar, Ongole, the dumping yard has already been established in the

limits of Guthikondavaripalem H/ o Koppole village near Dasarajupalli, by exempting the land of the petitioner from acquisition. The said written instructions are placed on record.

6. In view of the written instructions of the District Collector, Ongole dated 01.12.2017 that the land of the petitioner is exempted from acquisition, no further orders are required to be passed in this matter and the writ petition is liable to be closed.

7. Accordingly, the writ petition is closed. No order as to costs. Pending miscellaneous petitions, if any, in this writ petition, shall stand closed.

Date: 08.12.2017
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KONGARA VIJAYA LAKSHMI, J



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