

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 14599 of 2008

ORDER:

- 1) Heard learned counsel for the petitioners and Government Pleader for Land Acquisition.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in insisting the petitioners not to cultivate their landed properties pursuant to notification under Section 4 (1) of the Land Acquisition Act (for short "the Act") in Roc.No.SW374/ 07/ G1, dated 11.11.2007 and declaration under Section 6 of the Act dated 15.01.2008 issued by the second respondent in spite of deletion of the lands of the petitioners in the declaration, as illegal, irregular, arbitrary, irrational and contrary to the provisions of the Act; and consequently direct the respondents not to interfere with the cultivation of lands of the petitioners.
- 3) At the time when the matter is taken up for hearing the learned counsel submitted that pursuant to the said notification, an award came to be passed, but the lands of the petitioners are not subject matter of the said award.
- 4) In view of the above, if the authorities intend to dispossess the petitioners or initiate any action against the petitioners, who are in possession of the property, which is subject matter of dispute in this writ petition, they shall follow due process of law.

5) With the above direction, the writ petition is disposed of.

There shall be no order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

31.01.2017
gkv

