

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.7080 of 2007

ORDER:

This writ petition is filed questioning the proceedings dated 07.03.2007 under Section 5-A of the Land Acquisition Act (for short 'the Act'), as illegal and arbitrary, insofar as the land of the petitioners, which is an extent of Ac.1.56 cents in Sy.No.148/ 1 of Yedugundlapadu Village, Maddipadu Mandal, Prakasam District, is concerned.

2. The brief facts of the case, which are relevant for disposal of this writ petition, are that the petitioners are the owners of the subject land and that after coming to know about the proposal of the acquisition, the petitioners got issued a legal notice dated 28.06.2006 to the respondents requesting them not to acquire the land, as they do not have any other land, except the said small piece of land of Ac.1.56 cents, and that there are Government lands adjacent to the village. The land sought to be acquired is in the middle of cultivable lands and there is no approach road to this land.

3. This writ petition was admitted by this court on 09.04.2007 and an interim stay was also granted on the same day.

4. Counter-affidavit has been filed by the respondents. In para 11 of the counter-affidavit, it is stated as follows:

"..Further in obedience to the orders passed by the Hon'ble High Court of A.P., Hyderabad in WP Mp No.9011/ 2007 in WP No.7080/ 2007 all further L.A. proceedings were stopped. The possession of the land was not taken by the Government. Further, it is noticed that an extent of Ac.1.74 cents is sufficient for 57 beneficiaries and hence withdrawal proposal were submitted to the Collector, Ongole for the remaining extent of Ac.1.76 cents including the petitioners land of Ac.1.56

cents. As the proposal is withdrawn by the Government, the writ petition may kindly be dismissed.”

5. In view of the categorical statement made in the counter-affidavit by the Revenue Divisional Officer, Ongole that the Government withdrawn the proposal of acquisition of the land of the petitioners, no further orders are required to be passed in this writ petition and the writ petition is liable to be closed.

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

Date: 27.12.2017
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KONGARA VIJAYA LAKSHMI, J



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Date: 27.12.2017

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