

**HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.25373 of 2006**

**ORDER:**

This writ petition was filed challenging the notification dated 22.11.2006 issued under Section 4 (1) of the Land Acquisition Act, 1894 proposing to acquire the land of the petitioner for public purpose. It is stated that notification under Section 6 of the said Act was also issued in Form No. 5A.

2. The main grievance of the petitioner is that she was not given an opportunity of filing her objections to the acquisition proceedings and without considering her objections, the respondents were predetermined to reject her objections, even if filed and proposing to take further steps for acquisition of her land.

3. Even after ten years no counter-affidavit is not filed by the respondents.

4. In the circumstances, and since the objections of the petitioner against the acquisition of her land were not called for and have not been submitted pursuant to the notification under Section 4 of the said Act, it would not be appropriate for the respondents to pass any further order without hearing the petitioner and considering her objections, if filed.

5. However, during the pendency of the present writ petition, the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

(Act 30 of 2013) came into force with effect from 01.01.2014. In view of the same, if the respondents want to acquire the land of the petitioner, they will have to initiate fresh proceedings under the provisions of the said Act 30 of 2013.

6. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

---

A.RAMALINGESWARA RAO, J

04-01-2017  
Gsn

