

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.19293 OF 2008

ORDER:

This Writ Petition came to be filed seeking issuance of Writ of Certiorari calling for records pertaining to Proceedings in Ref.No.G2/2003/2008 dated 23.08.2008 issued by the 1st respondent and to quash the same as illegal and arbitrary.

As seen from the averments made in the affidavit filed in support of the Writ Petition, petitioner herein is the owner and possessor of the land admeasuring Acs.2.40 cents in survey No.110/3 situated at Chinna Mamida Village of Karap Mandal, East Godavari District. With an intention to acquire the said land for the purpose of providing house sites to poor under Phase-III Indiramma Programme, a draft notification u/s.4 (1) of the Land Acquisition Act, 1894 (for short 'the Act') was approved and published in Gazette of East Godavari District, Part-I No.1351/2008 dated 11.04.2008. Pursuant thereto, notice u/s.5-A in Form No.3 was issued to the petitioner vide proceedings dated 24.04.2008 for which the GPA representing the petitioner has submitted his objection on 05.06.2008. After considering the said objections, the 1st respondent vide proceedings dated 23.08.2008 directed the 2nd respondent to submit draft declaration. Said order of the 1st respondent is the subject matter of challenge in the present writ petition.

By an order dated 05.09.2008 this Court granted interim stay of all further proceedings pursuant to impugned proceedings. Seeking to vacate the said order, learned Government Pleader for

Land Acquisition filed W.V.M.P.No.2190 of 2010 along with a counter affidavit wherein it has been stated that the proposal to acquire the land of the petitioner was withdrawn as an alternate land in survey No.94/3 admeasuring Ac.0.67 cents has been acquired and 80% of the compensation was also paid to the landowner.

Learned GP for Land Acquisition would submit that they are not going to proceed further pursuant to the 4 (1) notification issued.

In view of the same, this Court is of the opinion that no further orders are necessary to be passed in the present Writ Petition.

Accordingly, the Writ Petition is closed. No order as to costs. Miscellaneous petitions pending in this petition, if any, shall stand closed.

Date: 23.01.2017
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C. PRAVEEN KUMAR, J