

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.9730 OF 2007

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the proceedings in ROC No.100/2007 (SW) G4 dated 28.03.2007 issued by the respondents to acquire the land of the petitioners in an extent of Ac.5.23 1/4 cents in R.S.No.615/1 to 5 and R.S.No.616/1 to 5 of Tanuku Village and Mandal, West Godavari District, as illegal, arbitrary and contrary to the provision of the land acquisition Act and also to the provisions of the Act 3 of 2006 and set aside the same, consequently directing the respondents to drop the said notification and pass any other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard.

3. Admittedly, the respondents have not proceeded further and no award was passed. In view of the latest amendment to the Land Acquisition Act, 1894 ie., Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, more particularly, Section 24(2) thereof, the present proceedings are lapsed setting aside the land acquisition notification. Therefore, this Court is not inclined to go into the merits of the case. However, the respondents are at liberty to proceed in accordance with the provisions of the new Act, if they so desire.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

10.3.2017
AMD



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AMD