

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 8488 of 2016

Order:

This Writ Petition was filed for the following relief.

“To issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents, (a) in issuing preliminary notification dated 29.04.2015 under Section 11(1) of Act 30 of 2013 without prior consent of the Gramsabha as per the provisions of Section 49(2) of Act 20 of 2013 and PESA Act (Act 40 of 1996) and without consulting the Mandal Parishad as per the procedures laid out in A.P Panchayats Extension to Scheduled Areas (PESA) Rules, 2011 and in violation of Land Transfer Regulation 1 of 1959 as amended under 1 of 1970 and not following Act 30 of 2013 and the rules therein and (b) in issuing declaration under Section 19(1) of Act 30 of 2013 in violation of the Section 11(2) and 11(5) of Act 30 of 2013, is illegal, arbitrary and consequently declare that the preliminary notification B1/125/2015 dated 29.04.2015 and the consequential declaration under Section 19(1) dated 23.09.2015 issued by second respondent is null and void and direct the respondents to initiate the proceedings to obtain the consent of Gramsabha and consult Mandal Parishad Devipatnam afresh while following the procedures laid out in Act 30 of 2013 and the rules and set aside the preliminary notification B1/86/2015 dated 29.04.2015 and subsequent declaration under section 19(1) dated 23.09.2015 issued by second respondent.”

When the matter is taken up for consideration, learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition on the ground that an agreement was entered into between the petitioner and the official respondents on 22.06.2017 and in view of the same, the petitioner does not want to pursue the present Writ Petition.

In the circumstances, permission is accorded and, accordingly, the Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 12.09.2017
Nsr