

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.10585 of 2017

ORDER:

Notification issued by the Collector, East Godavari District, Kakinada, under sub-section (1) of Section 11 of Act 30 of 2013 vide proceedings No.REV-GSECOLARR(PN)/3/2017-SA(G5)-CLO-EG, dated 26.01.2017, is under challenge in the present Writ Petition.

Heard learned counsel for petitioners and learned Advocate General for respondents.

The District Collector, East Godavari, Kakinada, issued notification under challenge on 26.01.2017 proposing to acquire subject lands for Purushothapatnam Lift Irrigation Scheme (Stage-I). In fact, the petitioners submitted their objections to the said notification on 27.02.2017 and 28.02.2017. According to the learned counsel for the petitioners, the respondent authorities are proceeding with the land acquisition proceedings not in conformity with the provisions of Act 30 of 2013 and without considering their objections, they are also attempting to dispossess them from the subject lands.

On the other hand, it is submitted by the learned Advocate General representing the respondents that the provisions of Act

30 of 2013 will be adhered to for the purpose of acquisition of the subject lands.

Admittedly, in the present case, the objections submitted by the petitioners are pending consideration before the Land Acquisition Officer. It is required to be noted that by way of notice, dated –Nil-.02.2017 issued in Form No. 6(B), the enquiry is scheduled to be held on 03.04.2017. Therefore, since the enquiry is pending, this Court is not inclined to interdict the said proceedings. However, it is open for the petitioners to appear for the said enquiry scheduled on 03.04.2017 and bring to the notice of the authorities the objections already submitted by them. It is also open for the respondent authorities to consider the same before proceeding further in the proceedings in accordance with law.

With the above observations, the Writ Petition stands disposed of.

Consequently, Miscellaneous Petitions, if any pending in this Writ Petition, shall stand closed. No order as to costs.

A.V.SESHA SAI, J

24th MARCH, 2017.

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