

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 24628 of 2017

ORDER:

This writ petition is filed for the following relief:

“.....to issue an appropriate writ, order or direction especially one in the nature of a Writ of Mandamus, (i) declaring the action of the respondents in not considering petitioners representation dated 9.6.2017 made by them not to construct the bund/project, which is proposed to be constructed on the upstream of their land (On the southern side of our land) for the purpose of storing the water (The name of the Project is not yet announced by the respondents herein), as the proposed construction of the Project would result in submergence of their land in backwater of the project and also would result in deprivation of their land as illegal and arbitrary and (ii) also declare the action of the respondents in proceeding with the construction of project without acquiring the land, which is going to be affected due to construction of project and not taking any steps to conduct Social Impact Survey or without making any steps for rehabilitation and resettlement of land oustees and without taking steps to acquire land which is going to be affected in the construction of the Project as illegal and arbitrary and contrary to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and also violative of Article 300-A of Constitution of India and consequently direct the respondents not to proceed with the construction of the proposed project or in the alternative acquire the lands belongs to the petitioners i.e., Survey No. 284/1 to an extent of Acs.2.25 cents, Survey No. 284/2 to an extent of Acs. 3.62 cents, Survey No. 284/4 to an extent of Ac.1.27 cents and Survey No. 283/3 to an extent of Ac.1.90 cents-total extent Acs.9.04 belongs to the 1st petitioner, Survey No.284/2 to an extent of Acs.3.63 cents belongs to 2nd petitioner, Survey No.284/1 to an extent of

Ac.1.25 cents and Survey No.284/3 to an extent of Ac.1.90 cents-total extent Ac.3.15 cents belongs to the 3rd Petitioner and Sy.No.277/4 to an extent of Acs.2.75 cents, Survey No.279/2 to an extent of Ac.1.74 and Survey No.279/3 to an extent of Acs.3.33 cents –total Acs.7.82 cents, situated at V.Bayalu Village (Malameedipalli), C.S. Puram Mandal, Prakasam District by following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”

When the writ petition is taken up for consideration, it is submitted by the learned Government Pleader for Irrigation that the Government is closing the breach to the tank, but not interfering with the private patta lands of the petitioners in any manner.

Recording the above said submission, the writ petition is closed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:31.08.2017
kdl

