

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO.12566/2007

ORDER :

This Writ Petition is filed questioning the notification No.F5/SW/162/g1/2006, dated 27.04.2007, issued under section 4(1) of Land Acquisition Act, 1894 for acquisition of Ac.0.50 cents, in Survey No. 73/2 Part in Epigunta Village, T.Narasapuram Mandal, West Godavari District.

2. Brief facts of the case, according to the petitioner, is that the petitioner is owner of the said land. The 3rd respondent issued Notification under section 4(1) of the Land Acquisition Act, 1984 on 29.04.2007, and Notice under Sec.5-A of Land Acquisition Act,1984 on 02.05.2007 without giving the correct name of the Original Owner of the land.

3. This Writ Petition was admitted on 18.06.2007. Interim Stay of dispossession was granted.

4. Today this matter came up under the caption of "for hearing". The learned Government Pleader for Land Acquisition, as per the written instructions of the RDO, Eluru, dated 04.10.2015, stated that the Tahsildar, T.Narasapuram (M) has reported that alternate land admeasuring to an extent of Ac.1.72 cts. in R.S.No. 60/12 etc. of Sri Bachu Suryanarayana and others has been acquired and house site pattas were sanctioned to the beneficiaries and he requested to drop the acquisition proceedings in respect of Ac,0.50 cts in R.S.No.73/2 in respect of the petitioner's land. It is further stated that the

petitioner's land is not required as alternative land was acquired and house sites were sanctioned to the beneficiaries.

5. In view of the written instructions of the Revenue Divisional Officer, Eluru, this Writ Petition is allowed, setting aside the Notification No. F5/SW/162/G1/2006 dated 27.04.2007 issued u/s 4(1) of Land Acquisition Act, 1894 for acquisition of Ac.0.50 cents, under Survey No. 73/2 Part in Epigunta Village, T.Narasapuram Mandal, West Godavari. However, if the respondents intended to acquire the land of the petitioner in future, the respondent authorities are given liberty to proceed according to the law.

6. The Miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI,J

20th December, 2017
JR

