

HON' BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.3746 of 2007

ORDER:

This writ petition is filed questioning the declaration issued under Section 6 of the Land Acquisition Act, 1894 (for short 'the Act') dated 14.07.2006 seeking to acquire the land of the petitioners admeasuring Ac.7.26 cents, i.e., an extent of Ac.2.29 cents in Sy.Nos.429 and 428/ 4 of the 1st petitioner, an extent of Ac.3.71 cents in Sy.Nos.426/ 3 and 426/ 1 of the 2nd petitioner and an extent of Ac.1.26 cents in Sy.No.426/ 2 of the 3rd petitioner, respectively, situated at Pedapadu Village & Mandal, West Godavari District.

2. Brief facts of the case, according to the petitioners, are that the Tahsildar, Pedapadu Mandal, has submitted land acquisition proposals under 'Indiramma Housing Programme' for providing house sites to the weaker sections for an extent of Ac.13.85 cents in RS No.426/ 1 etc. of Pedapadu Village & Mandal. The land of the petitioners measuring Ac.7.26 cents is also covered by the said Notification.

3. This court admitted the writ petition on 25.04.2007 and granted interim stay of all proceedings consequent to the said Notification.

4. A counter-affidavit has been filed on behalf of the respondents stating that the Tahsildar, Pedapadu Mandal, has proposed alternative land for acquisition and an extent of Ac.6.67 cents has been acquired in the same village. The Land Acquisition Officer and Revenue Divisional Officer, Eluru has passed Award Nos.17 and 18 of 2009 in respect of the acquired lands and house site pattas were granted to 200 beneficiaries.

It is further stated that the Tahsildar, Pedapadu Mandal, has reported that there is no need for acquisition of the lands covered by the present writ petition. It is also stated that no further proposals for acquisition of the lands are pending.

5. In view of the averments made by the respondents in the counter-affidavit, the writ petition is allowed setting aside the impugned declaration under Section 6 of the Act, dated 14.07.2006. No order as to costs. Pending miscellaneous petitions, if any, in this writ petition, shall stand closed.

Date: 24.11.2017
BSS

KONGARA VIJAYA LAKSHMI, J



HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

22

Writ Petition No.3746 of 2007



Date:24.11.2017

BSS