

HON' BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.973 of 2007

ORDER:

This writ petition is filed by the petitioners challenging the notification dated 30.06.2006 issued under Section 4(1) of the Land Acquisition Act (for short 'the Act'), seeking to acquire the land of the petitioners in Sy.No.205/2 admeasuring Ac.0.44 cents situated at Doddipatla Village, Elamanchili Mandal, West Godavari District.

2. This writ petition came up for admission on 18.01.2007 and an interim direction was granted on the same day observing that any acquisition shall be subject to the result of the writ petition or further orders of this court.

3. Today, when the matter came up for hearing, learned Government Pleader (Land Acquisition) has produced the written instructions of the Revenue Divisional Officer, Narsapur dated 14.06.2013. According to the said written instructions, notification was issued for acquisition of lands of the petitioners for providing house sites under 'Indiramma Programme'. After issuing 4(1) notification, alternate lands have been acquired and accommodated the beneficiaries and that the lands covered by the writ petition are no more required by the Government. The written instructions are placed on record.

4. Basing on the written instructions, learned Government Pleader submitted that alternate lands have been acquired and accommodated the beneficiaries, the impugned notification is liable to be set aside.

5. Having regard to the facts and circumstances of the case and in view of the written instructions of the Revenue Divisional Officer, Narsapur, the impugned notification dated 30.06.2006 is set aside.

6. The writ petition is, accordingly, allowed. No order as to costs. Pending miscellaneous petitions, if any, in this writ petition, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date: 27.11.2017
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