

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.10319 OF 2007

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to issue a writ of *mandamus* to declare the notification in RC No.D1/ 564/ 2006, dated 06.09.2006, and the declaration dated 12.09.2006 issued by the 3rd respondent for acquisition of the lands of the petitioners, as illegal and without jurisdiction and consequently, to set aside the same.

Heard and perused the material available on record.

Admittedly, the respondents have not proceeded further and the possession of the land was not taken till date. In view of the latest amendment to the Land Acquisition Act, 1894 i.e., Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, more particularly, Section 24(2) thereof, the present proceedings are lapsed. Therefore, this Court is not inclined to go into the merits of the case. However, the respondents are at liberty to proceed in accordance with the provisions of the new Act, if they so desire.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

RAJA ELANGO, J

February 03, 2017
KTL