

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.6972 OF 2017

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents 2 to 5 in taking steps to construct a transformer in the petitioners property in Plot No.135-C an extent of 431.93 Sq.yards in Dwarakanagar Layout, Visakhapatnam without issuing notice and without acquiring the land under the provision of “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” is illegal, arbitrary, in violation of Principles of natural justice and in violation of Art.14 and 21 of the Constitution of India and consequently direct the respondents not to interfere with the petitioners peaceful possession and enjoyment of the land an extent of 431.93 Sy.yards situated in Plot No.135-C of Dwaraka Nagar Layout, Visakhapatnam.”

2. A perusal of the affidavit filed in support of the petition, *prima facie*, shows that there appears to be some dispute with regard to identity of the property and the same cannot be gone into exercising the powers under Article 226 of the Constitution of India. Therefore, this Court is not inclined to entertain the writ petition.

3. In view of the same, the Writ Petition is disposed of, keeping it open to the petitioners to approach appropriate Forum for redressal of their grievance.

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

A.V.SESHA SAI, J

MARCH 06, 2017

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Date: 06.03.2017

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