

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.17804 OF 2004

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 issued under Section 4(1) of the Land Acquisition Act, 1894 passed in R.C.No.G3/3143/2004, dated 26.8.2004, which was published in Prakasam District Gazette on 28.8.2004 by respondent No.1, as illegal and arbitrary and consequently, set aside the same and direct the respondents not to acquire the petitioners' lands admeasuring Ac.5.65 cents in Survey Nos.16/1 and 17/7A and B of Rajampalli Village, Darsi Mandal, Prakasam District.

2. Heard.

3. In view of the latest amendment to the Land Acquisition Act, 1894 ie., 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.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

30.1.2017
AMD



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Date: 30.1.2017

AMD