

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.18462 of 2017

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ, order or direction, more particularly one in the nature of writ of *Mandamus* declaring the action of the respondents in proposing to form a road through the agricultural land of the temple situated in Sy.No.72/A of Gudikal Village, Yemmiganur Mandal, Kurnool District without issuing any notice to the temple and without initiating any action under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as illegal and arbitrary and consequently direct respondents not to interfere with the rights of the temple over the land mentioned above except by due process of law and except in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Heard Sri Virupaksha Dattatreya Gouda, learned counsel for the petitioner and the learned Government Pleader for Roads & Buildings and perused the material available on record.

3. Considering the facts and circumstances of the case, the respondents are directed not to form a road through the agricultural land of the temple situated in Sy.No.72/A of Gudikal Village,

Yemmiganur Mandal, Kurnool District, without following the due process of law.

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

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

JUSTICE RAJA ELANGO

22nd June, 2017
skmr

