

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.22289 of 2017

ORDER:

Heard the learned Counsel for the petitioner, learned Government Pleader for respondent Nos.1, 3 to 7 and the learned Standing Counsel for respondent No.2.

The petitioner states that he is the owner of land of an extent of Acs.12.46 cents in Survey No.661 and Ac.3.07 cents in Survey No.660 of Thumukunta Village fields, Gaaliveedu Mandal in YSR District. He states that he purchased the said land under sale deeds dated 12.03.2009 and 21.01.2017. His name was mutated in the revenue records also. He was issued pattadar pass books and title deeds. While so, the second respondent identified certain lands for establishment of Ultra Mega Solar Power Project, including the subject land, and a notice was issued to that effect on 19.09.2015 calling upon the petitioner to appear before respondent Nos.3 and 4 and stating that they were conducting the meeting on 23.09.2015. The petitioner appeared in the said meeting and expressed his unwillingness to part with the land. Now a public notice is issued in the daily newspaper on 01.10.2016 identifying various lands including the land of the petitioner, and apprehending his dispossession without following due process of law, the present Writ Petition is filed.

In the present public notice issued by the second respondent no provision of law, more particularly, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, or any other enactment was invoked.

Since the petitioner apprehends forcible dispossession by the authorities without following due process of law, this Writ Petition is disposed of directing the respondents not to dispossess the petitioner without following due process of law.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

07.07.2017
vs

(A.RAMALINGESWARA RAO, J)

