

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 2994 of 2017

ORDER:

The petitioners claim that they are owners of land in Sy.Nos.92A, 94A, 94B, 100, 13, 19, 63A, 63B, 22B, 150/3, 84A, 84B and 101 of Venkatampalli Village. They claim that road is proposed to be laid between Gudipadu and Venkatampalli Villages of Ananthapur District for which funds have been sanctioned under G.O.Rt.No.383 dated 27.06.2016 and hectic efforts are being made by the respondent – authorities to widen the road. However, as on date, no acquisition proceedings or any other proceedings were initiated. Hence the Writ Petition.

It is well settled that citizens shall not be deprived of property rights protected under Article 300-A of the Constitution of India without following due process of law and, if the lands of the petitioners are required, State is at liberty to acquire the same by paying just compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Act 30 of 2013).

Petitioners have placed *prima facie* material of their ownership before this Court i.e. pattadar pass books granted in their favour. Hence, there shall be a direction to the respondent – authorities not to interfere with the

petitioners property, in Sy.Nos.92A, 94A, 94B, 100, 13,19, 63A,63B, 22B, 150/3, 84A,84B and 101 of Venkatampalli Village, without following due process of law and without initiating proceedings under Act 30 of 2013.

The Writ Petition stands disposed of accordingly.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

JUSTICE CHALLA KODANDA RAM

Date: 30.01.2017
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