

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.3384 OF 2007

Date 08.12.2017

Between:

Kyathari Venkateswarlu and another.

... Petitioner

AND

Govt. of A.P. rep. by its Principal Secretary and others.

.....Respondents



HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.3384 of 2007

ORDER:

The Writ Petition is filed declaring the action of respondents, in trying to dispossess the petitioners from the land admeasuring Ac.1.80 cents in Sy.No.246A situated at Kosigi Village and Mandal, Kurnool District, pursuant to notification issued under Section 4(1) of the Land Acquisition Act, 1894, published in Hindu Daily on 08.04.1986, as being illegal and arbitrary.

Brief facts of the case, relevant for the purpose of disposal of the writ petition, are that the petitioners purchased land admeasuring Ac.1.80 cents in Sy.No.246A situated at Kosigi Village and Mandal, Kurnool District; respondents initiated acquisition proceedings proposing to acquire petitioners' land in the year 1986; Section 5A enquiry was conducted on 28.04.1986; no award was passed within a period of two years; pattadar pass books and title deeds were issued in the year 1996, after lapse of 10 years from the date of Section 4(1) notification; and respondent authorities in the year 2006 are trying to demarcate the subject land. Hence the writ petition.

While admitting the writ petition on 18.04.2007, this Court directed status quo to be maintained regarding nature and possession of the subject land.

When the matter came up for hearing, learned Government Pleader for Land Acquisition placed before this Court written instructions of the Revenue Divisional Officer, Adoni dated 14.06.2007, wherein it is stated that draft notification and draft declaration was published on 05.11.2003 and 08.11.2003 respectively; land in Sy.No.246/A is Ac.5.43 cents, out of which, Ac.4.00 was acquired for providing house sites to the muslim minorities of Kosigi Village; Kyathari Narasanna S/o. Geluvaiah attended award enquiry; and compensation of Rs.60,000/- paid for Ac.1.00 in Sy.No.246/A2.

The written instructions of the Revenue Divisional Officer, Adoni, dated 14.06.2007, would make it clear that land acquisition proceedings initiated in the year 1986 has not been continued further; fresh notification was published in the year 2003 for acquisition of the petitioners' land; and, compensation has since been paid to their father, no further orders are necessary to be passed in the writ petition.

The Writ Petition is, accordingly, closed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

KONGARA VIJAYA LAKSHMI, J

Dt:08.12.2017
 usd