

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.146 OF 2007

Date 12.12.2017

Between:
Talluri Srinivas.

... Petitioner

AND

The Government of A.P. rep. by its Principal Secretary,
Revenue, Secretariat Buildings, Amaravathi and others.

.....Respondents



HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**WRIT PETITION No.146 of 2007****ORDER:**

The Writ Petition is filed seeking to quash notification dated 09.09.2005, under Section 4(1) of the Land Acquisition Act, 1894 (the Act), issued by respondent No.3, proposing to acquire petitioner's lands.

Brief facts of the case, according to the petitioner, are that he is the owner and possessor of lands in various survey numbers situated at Kalavacherla Village, Rajanagaram Mandal, East Godavari District; he used to go to U.S. frequently; and, on coming to know that revenue officials would take over his lands for Polavaram project, the present writ petition is filed.

Counter affidavit has been filed by the respondents stating that draft notification was published in locality on 10.09.2005; notices, under Sections 9(1) and 10, were issued on 16.09.2005, and served on petitioner stating that award enquiry would be conducted on 04.10.2005; out of an extent of Ac.331.42 cents, land owners, of an extent of Ac.320.76 cents, consented and consent award was passed on 03.02.2006 and compensation was paid to all the owners except petitioner as he has not attended to receive the same; Section 12(2) notices issued and compensation kept in Revenue Deposits vide challan dated 21.03.2006; and as the

petitioner is said to be in US, his brother-in-law represented during award enquiry and signed the consent form.

This Court, by order dated 19.04.2007, granted an order of status quo for a period of two months. Subsequently, the order of status quo was not extended. By order dated 12.07.2007, in WPMP.No.172 of 2007 and WVMP.No.1535 of 2007, this Court, having noted that land was taken possession and handed over by the Mandal Revenue Officer, Rajanagaram to the Deputy Executive Engineer, SACB Division, Dowlaiswaram on 03.12.2005, and the brother-in-law of the petitioner represented him and gave consent in the award enquiry, vacated the interim order.

Today, when the matter came up for hearing, learned Government Pleader for Land Acquisition passed on instructions from the Special Deputy Collector (LA), Polavaram Irrigation Project, LMC Unit-I, Rajamahendravaram @ Rampachodavaram dated 11.12.2007 stating that the Deputy Executive Engineer, Irrigation Division-2, Prolavaram Irrigation Project, Dowlaiswaram informed that canal work was completed and no pending work in Kalavacharla Village; and, as per TBR.No.47/2013-14, an amount of Rs.31,15,902/- was drawn from revenue deposits and paid to the land owner.

Learned counsel for the petitioner, however, does not dispute the same.

In the facts and circumstances of the case, no further orders are necessary to be passed in the writ petition.

The Writ Petition is, accordingly, closed. However, in the circumstances, without costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Dt:12.12.2017
usd

