

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.19843 of 2017

ORDER:

The Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ, order or direction and more particularly one in the nature of Writ of Mandamus declaring that the acts, deeds and things of the Respondents 2 to 4 without issuance of noticed and acquiring the lands of the petitioner in Sy.No.724/A of Tellampadu Village of Khammam Rural Mandal of Khammam District to an extent of Ac.1.00 gts and marking the Temples and Samadhi for extension of Road from Suryapet to Khammam is illegal, arbitrary and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2) Heard learned counsel for petitioner, learned Government Pleader for Land Acquisition representing respondents 1 to 3 as well as Sri A.Laxminarayana, learned counsel for 4th respondent—Project Director, National Highways Authority of India and perused the prayer in the writ petition with supporting affidavit.

3) It is the submission of the learned Government Pleader and the learned Standing Counsel from oral instructions received that there is no initiation of the proceedings so far and, if at all it is required, they will follow the procedure as contemplated under Section 3 of the National Highways Act, (Act 48 of 1956).

4) Having regard to the above, the Writ Petition is disposed of directing the respondents not to interfere with the petitioner’s

possession and enjoyment over the subject land, except through due process of law. No order as to costs.

5) Consequently, miscellaneous petitions pending, if any in this Writ Petition shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 20.07.2017

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