

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.18458 of 2017

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ, order or direction, more particularly one in the nature of writ of *Mandamus* declaring the action of the respondents in proposing to form a road through the lands of the petitioners situated in Sy.No.163 of Gudikal Village, Yemmiganur Mandal, Kurnool District without issuing any notices to the petitioners and without initiating any action under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as illegal and contrary to law and violative of Article 300-A of the Constitution of India and violative of Article 21 of Constitution of India and also violative of principles of natural justice and consequently direct the respondents not to interfere with the rights of the petitioners over the properties mentioned above except by due process of law and except in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Heard Sri Virupaksha Dattatreya Gouda, learned counsel for petitioners and the learned Government Pleader for Roads & Buildings and perused the material available on record.

3. Considering the facts and circumstances of the case, the respondents are directed not to form a road through the lands of the petitioners situated in Sy.No.163 of Gudikal Village, Yemmiganur Mandal, Kurnool District, without following the due process of law.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

22nd June, 2017
skmr



JUSTICE RAJA ELANGO