

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.16344 of 2017

ORDER:

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

“to issue an appropriate writ, order or direction particularly one in the nature of writ of mandamus declaring the notification issued by 2nd respondent in proceedings Ref.NO.C1/51/2017 dated 04.02.2017 of acquiring land for Chintalapudi Ethipotala Project, for construction of Sub-canal on parimary Canal, 11 L 6 R Minor in Survey No.126-1 as violative of law; without considering the objections raised by the petitioners and not replying to the objections raised as per Section 15 of the above mentioned Act as violation of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”

2. It is submitted by learned counsel for the petitioners that without considering the objections submitted by the petitioners herein on 20.03.2017 in response to the notice under Section 11 (1) of Act 30 of 2013, vide Ref.No.C1/51/2017, dated 04.02.2017, the respondent authorities are proceeding further with the process of acquisition.

3. The Special Collector (L.A), Polavaram Irrigation Project, Rajamahendravaram-2nd respondent herein, issued a notification under Section 11 (1) of Act 30 of 2013 vide Ref.No.C1/51/2017, dated 28.03.2017, proposing to acquire the lands of the petitioners herein. In response to the same, according to the learned counsel for the petitioners herein, the petitioners herein submitted

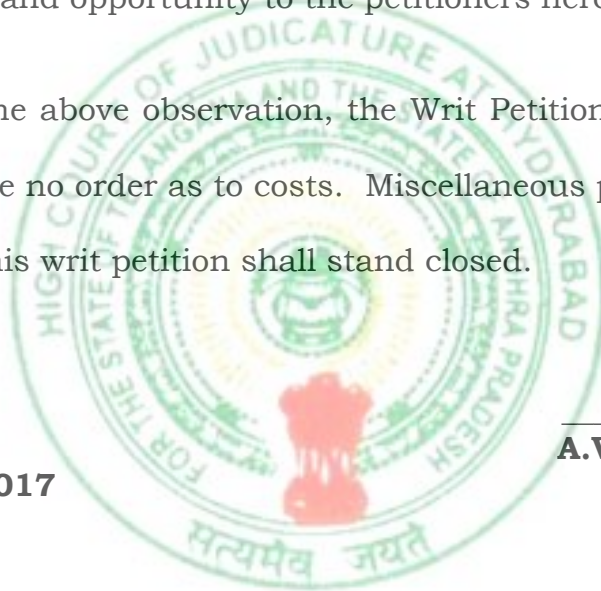
objections on 20.03.2017. The only grievance of the petitioners in the present Writ Petition is non-consideration of said objections.

4. Having heard the learned counsel for the petitioners and the learned Government Pleader, this Court is of the considered opinion that the ends of justice would be served, if the 2nd respondent is directed to consider the objections of the petitioners, dated 20.03.2017, filed in response to the notification issued under Section 11 (1) of Act 30 of 2013, vide Ref.No.C1/51/2017, dated 28.03.2017, in accordance with law, and take further action, after giving notice and opportunity to the petitioners herein.

5. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

APRIL 28, 2017
YVL

A.V.SESHA SAI, J



THE HON'BLE SRI JUSTICE A.V.SESHA SAI



WRIT PETITION No.16344 of 2017

Date: 28.04.2017

YVL