

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.31466 of 2017

ORDER

This writ petition is filed for the following relief:

“...to issue a writ, order or direction particularly one in the nature of writ of Mandamus declaring the action of the respondents in (i) issuing the preliminary notification under Section 11(1) of the Act in Rc.No.5911/2015-G1, dated 25.2.2017 for Ac.57.23 cents in respect of Ananthavaram, and Rc.No.5910/2015-G1, dated 6.4.2017 in respect of Tulluru-II, (ii) issuing the declaration through notifications in Rc.No.5911/2015-G1, dated 08.08.2017 in respect of Ananthavaram and R.C.5910/2015/G1, dated 24.08.2017 in respect of Tulluru-I, insofar as the petitioners lands are concerned, as illegal, violative of Articles 14 and 300-A of the Constitution of India and the provisions of the Act 30/2013, besides being in violation of Doctrine of principles of natural justice (iii) directing the respondents not to proceed further against the petitioners' lands and (iv) pass such other order or orders as this Hon'ble Court may deem fit and proper.”

When the matter is taken up for consideration, learned counsel on either side fairly concedes that in identical circumstances, this Court passed order on 30.08.2017 in W.P.No.7016 of 2017 and batch and relevant portion of the order reads as under:

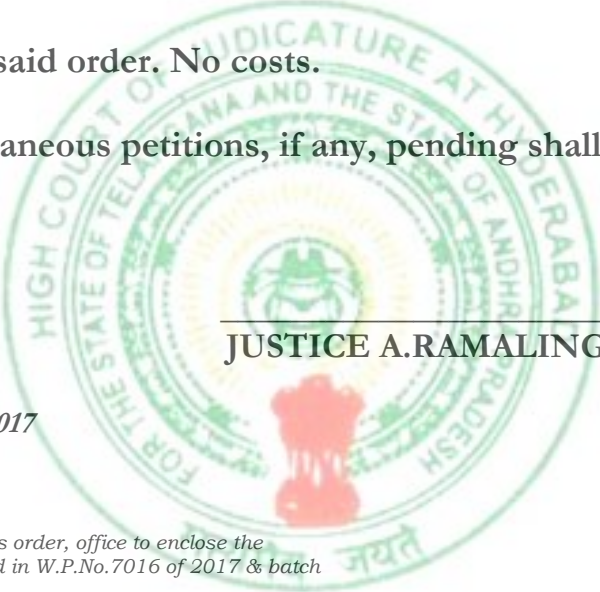
“The petitioners are given liberty to file comprehensive written objections either individually or for the entire village in accordance with Section 15(2) of Act 30 of 2013, within two weeks from the date of receipt of a copy of this order and the

Collector shall consider the said objections and deal with said objections thoroughly and pass a reasoned order considering the objections raised by the petitioners within a period of four weeks thereafter. It is needless to observe that at the time of considering the objections, the objectors shall be heard either in person or through their counsel.

The writ petitions are accordingly partly allowed setting aside the declarations under Section 19(1) of Act 30 of 2013 and giving liberty to the petitioners to raise objections under Section 15(2) of Act 30 of 2013.”

In view of the same, the Writ Petition is disposed of in terms of the said order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAMALINGESWARA RAO

18th September, 2017
rkk

Note:
While dispatching this order, office to enclose the common order passed in W.P.No.7016 of 2017 & batch dated 30.08.2017.

