

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

WRIT PETITION No.6004 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue order or orders more particularly one in the nature of writ of mandamus declare the action of the respondents herein in seeking to construct Toofan shelter under National Cyclone Risk Mitigation Project over private patta land of petitioners in area admeasuring 0.50 cents SY.No.884 of Varini Dhandigunta, Vidavaluru Mandal, Sri Potti Sriramulu Nellore District. Without following the due process of law as being illegal violation of Article 14 & 21, 300 (A) of the constitution India and also the provision of land Acquisition Act.”

2. The complaint, obviously, as per the affidavit filed in support of the writ petition is without recourse to law, the respondents are going ahead with the construction of Toofan shelter under National Cyclone Risk Mitigation Project over the patta land of the petitioner in the area admeasuring 0.50 cents in Sy.No.884 of Varini Dhandigunta, Vidavaluru Mandal, Sri Potti Sriramulu Nellore District.

3. When the matter is called, it is submitted by the learned standing counsel for the respondent Gram Panchayat that duly adhering to the mandatory provisions of law, they will

proceed with the matter. The said submission of the learned standing counsel is recorded.

4. In view of the above, this writ petition is disposed of, directing the respondents herein not to interfere with the petitioner's patta land, admeasuring 0.50 cents in Sy.No.884 of Varini Dhandigunta, Vidavaluru Mandal, Sri Potti Sriramulu Nellore District, except in accordance with law. It is also made clear that the respondents are entitled to proceed, in accordance with law.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

27.02.2017
SS

A.V.SESHA SAI, J

