

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.13809 of 2017

ORDER:

The case of the petitioners is that they were granted pattas in respect of subject lands i.e. Sy.No.44-3A for extent of 0-98 cents, Sy.No.44-3c for extent of 0.99 cents, Sy.No.44-3B for extent of 0-99 cents and Sy.No.44-3D for extent of 0-99 cents. The impugned notice was issued to the petitioners basing on the representation, dated 14-03-2017 of the villagers of Damajpalli Village, Chennekothapalli Mandal with a request to allot house sites to them and whether the petitioners are willing to give consent for alienation of land, otherwise appropriate proceedings will be initiated under the Land Acquisition Act (for short "the Act"). Challenging the same, the present writ petition is filed.

Learned counsel for the petitioners submits that the petitioners are landless poor persons and subject lands are in their possession for the last 45 years. As such, the petitioners cannot be dispossessed from the subject lands.

Heard learned Assistant Government Pleader for Revenue.

It is to be seen that if the petitioners are not willing for alienation of subject lands, they can refuse to give consent. Otherwise, the petitioners cannot object for initiation of land acquisition proceedings. As and when land acquisition proceedings are initiated in terms of Act, 2013, it is open for the petitioners to raise all the objections by following procedure under the land Acquisition Act.

In view of the same, no relief can be granted. But however the respondents shall not dispossess the petitioners without recourse to the procedure envisaged under the Act or initiate any proceedings without following law.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

18.04.2017
Nvl

