

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9843 OF 2017

ORDER:

The writ petition is filed challenging the action of the respondents in trying to dispossess the petitioner from its administration building and shopping rooms bearing Door No.1-3-5/ 2, Abadpeta, Ward No.1, Hindupur Municipality, Anantapur District, without following due procedure of law under the Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act 30 of 2013 (for short, "the Act").

The petitioner is the Syndicate Farmers and Artisans Mutually Aided Service Cooperative Society limited registered under the Societies Act. It is the case of the petitioner that it is having properties, namely, Shopping complex at old bus stand, Hindupur and shopping complex in Penukonda road, Hindupur and also agricultural lands in Lepakshi Mandal. While things stood thus, all of a sudden on 11.03.2017, the officials of the respondents 3 and 4 along with the staff came to the premises and tried to dispossess the staff of the petitioner and also the tenants with an intention to take possession of the said property, even without issuing any notice as per the provisions of the Act.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to take possession of the properties of the petitioner even without following the due process of law.

Learned Government Pleader for Revenue submits that the allegations made by the petitioner are false. If really the property of the petitioner is required, the respondents-authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of the property, its possession shall not be interfered with by the respondents-authorities without following the due process of law as enjoined whether under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following the due process of law. No order as to costs.

As a sequel to disposal of the writ petition, W.P.M.Ps., if any pending, shall stand disposed of as infructuous.

March 21, 2017
KTL

CHALLA KODANDA RAM, J

