

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 35490 OF 2017

ORDER:

This writ petition is filed challenging the Notification No.C1/176/2017, dated 30.06.2017 issued under Section 19(1) read with Rule 125 (1) of Form No.7 of the Land Acquisition Act 30 of 2013 (for short 'the Act of 2013') for the purpose of Chinthalapudi Lift Irrigation Project.

Heard learned counsel for the petitioner and learned Government Pleader for Land Acquisition.

Learned counsel for the petitioner submits that there is variation in respect of extent of survey numbers of the land pertaining to the petitioners in the declaration issued under Section 19(1) of the Act and that the Notification issued under Section 15(2) of the Act of 2013, are blank, as such, the declaration made under Section 19(2) of the Act of 2013 is without any application of mind. He submits that enquiry has to be conducted before declaration is made under Section 19(1) of the Act.

Learned Government Pleader for Land Acquisition, basing on record, admits that the parts of notice issued under Section 15 (2) is blank.

In view of the same, the impugned notification dated 30.06.2017 is set aside and the concerned Land Acquisition Officer is directed to issue fresh notice under Section 15 (2)

of the Act 30 of 2013 to the petitioners and it is for the petitioners to submit objections to the same. After considering said objections, it is for the competent authority to proceed further. However, till the Award is passed by the competent authority, *status quo* obtaining as on today shall be maintained.

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

31-10-2017
kvs



A.RAJASHEKER REDDY,J

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Date: 31.10.2017

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