

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.38446 OF 2017

ORDER

This writ petition is filed seeking to declare the action of the 3rd respondent in issuing the proceedings dated 5.8.2017 without considering the documents and submissions made by the petitioners, as illegal and arbitrary.

The petitioners are absolute owners and possessors of the land admeasuring Ac.2.55 cents in Sy.No.23/B of Thulluru Village and Mandal, Guntur District. Pursuant to the notification issued under Section 11 (1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act'), dated 6.4.2017, the petitioners submitted their objections in Form-9.2. Thereafter, the respondent-authorities conducted enquiry under Section 15 (2) of the Act, and passed an order on 5.8.2017.

The grievance of the petitioners is that without following the procedure laid down under the Act, and without considering their objections, the respondent-authorities have passed the order impugned.

When the matter is taken up for hearing, learned counsel appearing for the petitioners, learned Government Pleader for Land Acquisition and learned Standing Counsel for CRDA fairly

concedes that the matter can be remanded to the competent authority.

In view of the same, the impugned order dated 5.8.2017 is set aside and remanded to the competent authority for considering the objections of the petitioners afresh after affording an opportunity of hearing to them as per Section 15(2) of the Act.

Accordingly, the Writ Petition is allowed to the extent indicated above. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A. RAJASHEKER REDDY

28th November, 2017
rkk

