

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 40669 of 2016

Order:

Heard learned counsel for the petitioner and learned counsel for the third respondent.

The petitioner claims to be the absolute owner and possessor of land in an extent of Ac.2-00 in Survey No.6 and another extent of Ac.3-00 in Survey No.6B, situated in Almasguda village, Maheshwaram Mandal, Ranga Reddy District. Thus, the total extent of the land is Ac.5-00. The land was stated to have been purchased under a registered sale deed in the year 1997. However, when the second respondent issued a notification under Section 4(1) of the Land Acquisition Act, including the said land and other lands situated in Mankhal village, the persons residing in Mankhal village filed W.P.Nos.13863, 14247 and 14478 of 2005 and this Court by a common order dated 23.07.2008 allowed the Writ Petitions by quashing the notification. Though the Government preferred W.A.Nos.351, 352 and 354 of 2009, the said Writ Appeals were dismissed as withdrawn on 16.02.2016. Thus, the order passed by the learned single Judge dated 23.07.2008 has become final. Since the petitioner is not a party to the earlier litigation, he filed the present Writ Petition seeking quashing of the notification dated 22.06.2004 published in the Gazette Extraordinary in respect of the total extent of Ac.5-00 of land situated in Survey Nos.6 and 6B of Almasguda village, Maheshwaram Mandal, Ranga Reddy District.

It is not disputed by the respondents that the land involved in the present Writ Petition is covered by the said notification. In view of the

same, this Writ Petition is also allowed in terms of the order in W.P. Nos.13863, 14247 and 14478 of 2005 dated 23.07.2008. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 05.10.2017

Note:

Office to attach copy of order in W.P.Nos.13863, 14247 and 14478 of 2005 dated 23.07.2008 to this order.

(B/O)

Nsr

