

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.36505 OF 2017

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents 2 and 3 in threatening the petitioners to give consent to take possession of their affected lands for proposed 60 meters road widening from Balanagar road to Narsapur X road (flyover under SRDP), pursuant to common consent letters vide Lr.No.L-104/RW(SRDP)/ACP/C-24/GHMC/2017, dated 16.10.2017 of the 2nd respondent, otherwise the petitioners will be forcibly dispossessed with Police force without initiating the land acquisition proceedings by publishing a Notification under Sec.11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (*for short 'the Act'*), as illegal and arbitrary and for a consequential direction to the respondents to pay or tender payment for the damages caused to the buildings and determine the value of the same and to pay the compensation before taking possession of the affected land including structures attached to the said land.

Heard learned counsel for the petitioners who submits that the respondent authorities are trying to dispossess the petitioners without following due process of law.

Learned Government Pleader for Land Acquisition on instructions submits that notifications under Section 11 of the Act

have been sent for approval; that they will follow due process of law; and that notifications will be published.

Heard Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondents 2 to 4.

In view of the aforesaid facts and circumstances, the respondents are directed not to dispossess the petitioners without following due process of law.

Accordingly, 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.

01.11.2017
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A.RAJASHEKER REDDY, J