

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.43149 OF 2017

ORDER:

This Writ Petition is filed seeking to declare the action of respondent Nos.2 to 6 in excavating the canal in the lands of the petitioners in R.S.Nos.370/1B, 371/1A and 371/1B admeasuring Ac.2.44 cents, Ac.1.98 cents and Ac.2.11 cents, respectively, situated at Kovvurpadu Village, Gopalapuram Mandal, West Godavari District, without paying compensation under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act'), as illegal and arbitrary.

2. The case of the petitioners is that the respondents have issued notification for acquisition of the lands of the petitioners and thereafter, notice under Section 15 (2) of the Act was issued to the petitioners. The petitioners have submitted objections to the same. Thereafter, though, no opportunity was given to the petitioners and no order was passed under Section 15 (2) of the Act, the respondents are trying to lay canal in the lands of the petitioners.

3. The learned Assistant Government Pleader for Land Acquisition submits that as on today no award is passed and the question of dispossession of the petitioners from the subject lands does not arise.

4. In view of the same, the Writ Petition is disposed of directing the respondents not to dispossess the petitioners from the subject lands without taking subsequent steps after issuance of Section 15 (2) notice and without paying compensation.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

December 20, 2017

Note: Issue C.C. today.
B/O.MD

