

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.693 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is, therefore, prayed that this Hon’ble Court may be pleased to issue, a writ of Mandamus, declaring the action of the respondents in seeking to acquire vacant land out of an extent of Ac.2.12 cents in S.No.635 of Korrapadu Road, Proddatur Revenue village & Municipality, Y.S.R. Kadapa District, for the purpose of widening of road from 60 feet to 100 feet without initiating proceedings under land Acquisition Act, without paying compensation, as illegal, improper, unjust, arbitrary, and violative of Article 300-A of the Constitution of India and consequently direct the respondents not to acquire the lands and structure of the Petitioner covered by the land an extent of Ac.2.12 cents in S.No.635 of Korrapadu Road, Proddatur Revenue village & Municipality, Y.S.R. Kadapa District, without paying the compensation and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *Mahadeva Kanthrigala*, learned counsel appearing for the petitioners, the learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, Sri *M.D.Saleem*, learned Standing Counsel, appearing for the 2nd respondent, and of the learned Government Pleader for Revenue appearing for the respondents 3 to 5. I have perused the material record.

3. At the hearing, learned counsel appearing for the petitioners and Sri *M.D.Saleem*, learned Standing Counsel, appearing for the 2nd respondent are in agreement that the issue involved in the present writ petition is squarely covered by the orders of this Court,

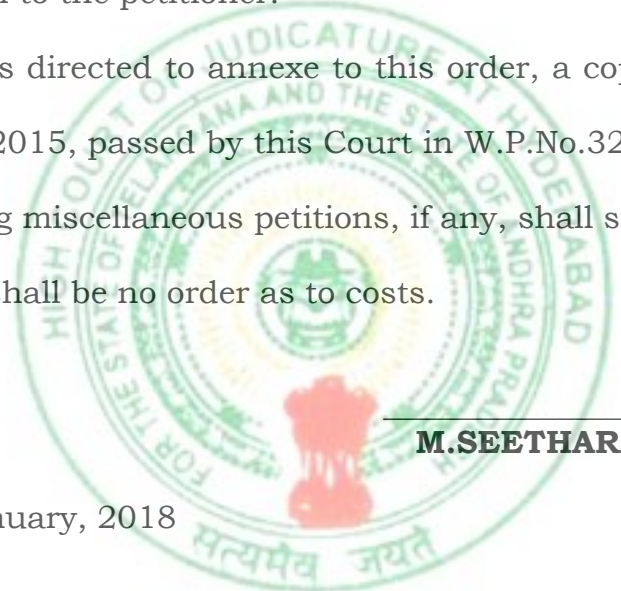
dated 27.07.2017, in W.P.No.24819 of 2017, which was passed following the terms of the order, dated 07.10.2015, passed by this Court in W.P.No.32679 of 2015. A copy of the said order in the afore-stated writ petition is placed on record.

4. Having regard to the facts and submissions, this Writ Petition is disposed of in terms of the order, dated 07.10.2015, passed by this Court in W.P.No.32679 of 2015, directing the respondents to follow the due process of law, if the petitioner's land is required to be acquired for public purpose and accordingly pay appropriate compensation to the petitioner.

Office is directed to annexe to this order, a copy of the order, dated 07.10.2015, passed by this Court in W.P.No.32679 of 2015.

Pending miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.



M.SEETHARAMA MURTI, J

Date: 4th January, 2018

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