

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.583 of 2018

ORDER:

This Writ Petition is filed questioning the action of the respondents in trying to lay the road in the landed property of the petitioners in an extent of Ac.0-10 cents out of Ac.01-83 cents situated in Sy.No.144 at Vakalapudi Village, Kakinada Rural Mandal, without initiating any proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short "the Act").

2) Petitioners claim that they are the owners of the subject property and at the instance of the respondents and for political reasons, the Gram Panchayat is trying to lay the road through their land without following due process of law.

3) This Writ Petition is filed on 03.01.2018. When the matter was taken up on 18.01.2018, time was sought and at the request of respondents 7 and 8, it was adjourned to today. Once again, at the request of the learned Standing Counsel for the Gram Panchayat, the matter was passed over and during post-lunch session also there is no representation.

4) In view of the specific assertion of the petitioners and, *prima facie*, the documents filed by them i.e., Registered Sale Deed of the year 1932, evidencing right and ownership of the ancestors of the petitioners, this Writ Petition is disposed of with a direction to the respondent-authorities not to interfere with the petitioners' property, in any manner, without ascertaining their right and ownership over the land and without following the procedure

prescribed in law, including payment of compensation, as enjoined under the Act. There shall be no order as to costs.

5) Consequently, Miscellaneous Petitions pending, if any, shall also stand dismissed.

CHALLA KODANDA RAM, J.

Date: 19.01.2018.

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