

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.1979 of 2018

ORDER:

This writ petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, the Petitioner herein prays that, this Hon’ble Court may be pleased to issue appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents and their personnel without invoking the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) attempting to take away the Petitioner’s land by dispossessing the Petitioner from the land an extent of Ac.0.45 cents in Sy.No.343-1B of Agraharam Village, Bukkapatnam Mandal, Anantapuram District as illegal, arbitrary and violation of principles of natural justice besides violative of Articles 21, 300-A of the Constitution of India and also provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) and consequently direct the Respondents not to dispossess the Petitioner from the “subject land” without following the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013).”

Learned Assistant Government Pleader produced before this Court a copy of written instructions, dated 24.01.2018 and submits that the land to an extent of 12.56 acres in Sy.No.343-1 is classified as Government Poramboke and noted as Gramakantam as per RSR of Agraharam Village; that the land to an extent of 0.45 acres out of 12.56 acres in Sy.No.343-1B of Agraharam Village is transferred as A.W from Village site

poramboke and was assigned in favour of grandmother of the petitioner, on payment of market value, vide proceedings in R. Dis. 13482/70 of the District Collector, Ananthapuramu dated 15.10.1970 and D. Patta was issued vide D.A.R. Dis.No.590/84 dated 13.05.1975; that the allegation of the petitioner that the fourth respondent's office personnel came to the subject land and attempted to dispossess them for issuance of house sites, as stated by him in para 8 of the writ affidavit, is baseless as they never interfered with the subject land. The said written instructions are placed on record.

In the light of the above, it appears that the petitioner has filed the present Writ Petition only on mere apprehension, without there being real threat.

In those circumstances, the writ petition is closed.

Miscellaneous Petitions, if any pending shall stand closed.

There shall be no order as to costs.

CHALLA KODANDA RAM, J

25th JANUARY, 2018.

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