

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.11677 OF 2007

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus declaring the notification Rc.G2/638/2007 dated 3.2.2007 issued by the 1st respondent under Section 4(1) of the Land Acquisition Act, 1894, proposing to acquire the wet land of the petitioner to an extent of Ac.2.34 cents in Sy.No.213-4A and Ac.1.14 cents in Sy.No.213-4B, situated in Vinnamala Village, Naidupet Mandal, Nellore District, as arbitrary and illegal, and consequently, to set aside the same.

2. Heard Sri V.R. Reddy Kovvuri, learned Counsel for the petitioner and the learned Government Pleader for Revenue for the respondents.

3. It has been contended by the petitioner that she is the owner of land of an extent of Ac.2.34 cents in Sy.No.213-4A; Ac.1.14 cents in Sy.No.213-4B; Ac.0.20 cents in Sy.No.203-1 and Ac.0.16 cents in Sy.No.204-9 situated in Vinnamala Village, Naidupet Mandal, Nellore District, and she has been in peaceful possession and enjoyment of the same and while so, the respondents issued the notification impugned under Section 4(1) of the Land Acquisition Act to acquire the land of the petitioner for the purpose of providing house sites to the landless poor persons and in those set of circumstances, the present writ petition is filed.

4. When this matter was taken up for hearing today, it is reported by the learned Government Pleader for Revenue that the respondents do not intend to acquire the land of the petitioner, and the cause in this writ petition does not survive.

5. In view of the above submission, this Court came to a conclusion that the cause in the present writ petition does not survive and therefore, the writ petition has become infructuous.

6. Accordingly, the Writ Petition is dismissed as infructuous. It is needless to say that if the respondents require the subject land, they are at liberty to do so after following due process of law more particularly, after initiating the proceedings under the Land Acquisition Act. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

11th April, 2018
Nn

(ABHINAND KUMAR SHAVILI,J)



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