

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos 3323 And 3339 of 2018

COMMON ORDER:

These writ petitions are filed challenging the action of the respondents in not considering the objections filed by the petitioners pursuant to the notification dated 13-12-2016 issued by the 2nd respondent in Andhra Pradesh Telugu Daily Newspaper in Rajamahendravaram and Preliminary Notification in November, 2015 respectively, under Section 11 (1) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Since both the writ petitions are filed for the same relief, they are being disposed of, by way of common order.

Learned counsel for the petitioners has placed before this Court a copy of the order dated 24-01-2018 passed by this Court in WP.No.1835 of 2018 and submits that these writ petitions are squarely covered by the said order.

The operative portion of order in WP.No.1835 of 2018 reads as under:

“Considered the respective submissions.

Earlier this Court had an occasion to deal with this aspect, in W.P.No.466 of 2018, wherein after analyzing all the provisions, it has been held that with respect to the rival claims, the stage at which the objections can be filed in response to the notification / notice is under Section 21 of the Act, as there is no scope of filing any objections under Section 11 of the Act except as provided therein i.e., where there are any special

reasons requiring a particular piece of land to be exempted from the proceedings. It may also be noted that with respect to the suitability or otherwise of the land or with respect to the measurements etc., it is only at the stage of enquiry under Section 15 of the Act, a party will have a right to submit their objections.

In those circumstances, as rightly contended by the learned Government Pleader for Land Acquisition, the application filed by the petitioner is premature and is merely on an apprehension. Therefore, the Writ Petition is closed, giving liberty to the petitioner to take necessary steps, as and when situation warrants, in accordance with law, to protect his interest.”

In view of the submission of the learned counsel for the petitioners, let there be the similar order even in these writ petitions also.

Accordingly, these writ petitions are also closed. Miscellaneous Petitions, if any pending shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

06-02-2018

Nvl