

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.23070 OF 2007

ORDER:

This writ petition is filed seeking to declare the action of the respondents in carrying out the digging and proposed construction work in petitioners' patta lands in Sy.Nos.29/A and 29/E of Nagole Village, Uppal Mandal of Ranga Reddy District without initiating acquisition proceedings either under the Land Acquisition Act or under any other law for the purpose of construction of 172 MLD capacity Sewerage Treatment Plant by diverting from its original way as illegal, highhanded and violative of Article 300-A of the Constitution of India.

2. It is the case of the petitioners that their lands were acquired by the respondents for construction of 172 MLD capacity sewerage treatment plant.

3. A counter affidavit has been filed by the respondents 3 and 4 denying the allegations and stated that they have not carried out any digging or construction work in the petitioners' patta land.

4. Heard the learned Assistant Government Pleader for Land Acquisition appearing for the respondents.

5. It is represented by Sri V.Jithender Rao, learned counsel for the petitioners that there are no instructions from the petitioners. Despite of his efforts, he did not receive any instructions from the petitioners and expressed his

helplessness. The notices were served on the petitioners and proof of service is filed in the registry.

6. In view of the statement made by respondents 3 and 4 that they are not carrying out any digging or construction operations in the lands of the petitioners, no cause of action survives for adjudication in the present writ petition and it is liable to be dismissed. However, the petitioners are at liberty to seek appropriate legal remedy as and when fresh cause of action arises.

7. The writ petition is accordingly dismissed. As sequel, the miscellaneous petitions pending if any shall stand closed.

Date: 3-08-2018
Shr

T.AMARNATH GOUD,J

