

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 4176 of 2007

ORDER:

This writ petition is filed by the petitioners, under Article 226 of the Constitution of India, seeking a writ of mandamus to declare the action of respondents in initiating proceeding under the Land Acquisition Act acquiring an extent of Ac.0.49 cents in Sy.No.558/2, Ac.0.22 cents in Sy.No.559/2, Ac.0.35 cents in Sy.No.559/2, Ac.0.50 cents in Sy.No.559/2, Acs.2.01 cents in Sy.No.559/2, Ac.1.67 cents in Sy.No.559/3, Ac.1.00 in Sy.No.562/1, Ac.1.00 in Sy.No.562/1 and Ac.0.90 cents in Sy.No.562/1 situated at Kopthapeta Village and Mandal, East Godavari District, in pursuance of Section 4(1) notification dated 11.01.2007 which was published in Deccan Chronicle Newspaper dated 18.01.2007 issued by the 1st respondent, as ultra vires, arbitrary, illegal, unconstitutional and against the provisions of the A.P. Agricultural Land (Conversion for Non-Agricultural Purposes) Act 3 of 2006. A consequential direction is also sought to the respondents to drop all further proceedings and withdraw the acquisition of above lands which are in peaceful possession and enjoyment of the petitioners.

Heard Mr. C.B. Rammohan Reddy, learned counsel for the petitioners, and learned Government Pleader for Land Acquisition (AP) appearing for the respondents.

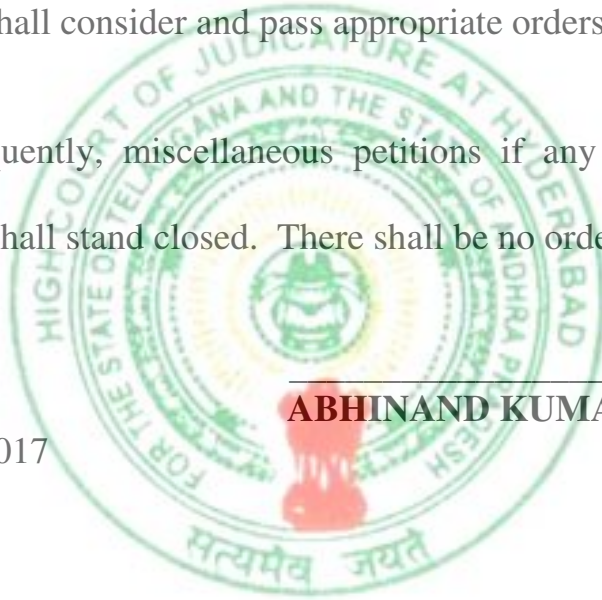
At the hearing, learned counsel for the petitioners, fairly submitted that the issue raised in this writ petition is squarely covered by judgment dated 28.12.2007 of this Court in Writ Petition No.18881 of 2006 and batch, wherein challenge to acquisition of agricultural lands without conversion was rejected.

In view of the above, the writ petition is dismissed. However, the petitioners are permitted to file objections within a period of four (4) weeks from today and on receipt of such objections, the respondents shall consider and pass appropriate orders thereon.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand closed. There shall be no order as to costs.

29th March, 2017
cbs

ABHINAND KUMAR SHAVILI, J



HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



WRIT PETITION No. 4176 of 2007
(dismissed)

29th March, 2017

cbs