

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

Writ Petition No 5643 of 2018

ORDER:

This Writ Petition is filed challenging the notification 3681(E) dated 20.11.2017 issued under Section 3-A of the National Highways Act, 1956 (for short, 'the Act') and published in the Hindu dated 27.11.2017 proposing to acquire the petitioners' lands situated in Survey Nos.340/ 2B, 369, 375/ 2B and 376/ 2B of Pidimgoyya Village of Rajahmundry Rural Mandal, East Godavari District for the third time.

2. The grievance of the petitioners is that the respondents are refused to receive the objections, though called for in terms of the Section 3C of the Act.

3. Learned counsel for the petitioners submits that the objections have already filed on 23.01.2017 and 09.02.2018.

4. Learned Standing Counsel for the respondents 2 & 3 submits that in as much as on date no declaration has been made under Section 3D of the Act and subject to condition of the petitioners filing the objections within a period of ten (10) days from today, the same shall be considered.

5. In view of the submissions, it is the assertion of petitioners that they have filed objections and the

respondents denying the same. Therefore, the learned Standing Counsel for the respondents 2 & 3 shall make over the copies of writ petition along with material documents to respondent No.4. The objections contained in the writ petition as the material papers shall be treated as objections, filed by the petitioners, and necessary orders be passed after giving opportunity to the petitioners by fixing the date of hearing. The intimation of the date of hearing shall be communicated to petitioner No.1 i.e., Cherukuri Venkateswara Rao, S/o. Nageswara Rao, R/o.D.No.74-13-3, Prakash Nagar, Rajahmundry, East Godavari District by fixing the date of hearing. Subject to condition, the objections shall be considered and necessary orders be passed by respondent No.4.

Accordingly, this Writ Petition is disposed of. Miscellaneous Petitions, if any, pending shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J

26.02.2018
MVA

Registry to communicate a copy of this order to the L.A.O. immediately