

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION Nos.21500, 21501, 21519 and 21520 of 2006

COMMON ORDER:

Heard Ms.K.V.Rajasree holding for Mr.S.Satyam Reddy for petitioners.

The petitioners, who are small farmers and assignees of an extent of Ac.1-00 gts. in Sy.No.439/1, Ac.1-00 gts. in Sy.No.439/7, Ac.2-10 gts. in Sy.No.439/J and Ac.3-09 gts. in Sy.No.439/11 of Chinthakunta Village, Karimnagar Mandal and District, challenge orders bearing Nos.B/1580/2006-1, B/1580/2006-2, B/1580/2006-10 and B/1580/2006-14 respectively, dated 23.09.2006, ordering resumption of assigned lands, as illegal and arbitrary.

The Division Bench of this Court in W.A.No.1251 of 2006 and batch, dated 04.01.2007 granted interim suspension of the proceedings impugned in the writ petitions and the interim order is subsisting as on date.

One of the grounds of challenge is resumption is arbitrary and secondly, even for public purpose, the assigned lands are ordered for resumption, the respondents are required to pay compensation to petitioners.

The writ petitions were listed on 22.02.2018. At request of learned Assistant Government Pleader, the writ petitions are directed to be listed today.

The Assistant Government Pleader places on record the latest information to the effect that the purpose for which the lands were about to be resumed from petitioners does not subsist as on date, for alternate accommodation is already made. The petitioners remained in possession and thereafter, the successors-in-interest are in possession of the subject matter of writ petitions. Therefore, the grounds urged in the writ petitions need not be considered by this Court. In view of the changed circumstances, he submits that the orders of resumption are not pursued by the Department.

The statement is placed on record and the proceedings impugned in the writ petitions are set aside.

The writ petitions are ordered accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 23-02-2018
Prv

S. V. BHATT, J

