

THE HON'BLE SRI JUSTICE M.GANGA RAO

W.P. No.16935 of 2007

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the notification issued under Sections 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act') vide proceedings in SW/276/06(G1), dated 10.05.2007, issued by the 2nd respondent for acquiring the petitioner's land to an extent of Ac.1.89 cents in R.S.No.3/2 situated at Kurellagudem Village, Bhimadole Mandal, West Godavari District, as illegal and unjust.

2. It appears that a notification dated 10.05.2007 under Section 4(1) of the Act was issued for acquisition of the petitioner's land for the purpose of providing house sites to the weaker section people. The lands are double crop wet lands. The said notification further states that in view of urgency, the enquiry under Section 5-A of the Act was dispensed with by invoking urgency clause under Section 17(4) of Act. At that juncture, petitioner filed this writ petition.

3. This Court on 09.08.2007 while admitting the writ petition granted interim stay all further proceedings including dispossession. Thereafter, no further proceedings have taken up for concluding the land acquisition proceedings.

4. Today, when the matter is taken up for final hearing, it is represented that the counsel for the petitioner Sri S. Suryaprakasa Rao passed away. However, the learned

Assistant Government Pleader for Land Acquisition states that he received instructions from the Revenue Divisional Officer, Eluru, vide letter No.1135992/2017, dated 23.12.2017, to the effect that for the present there is no requirement of the petitioner's land for acquisition as alternative lands were already taken and distributed as house sites.

5. In view of the above submission of the learned Assistant Government Pleader for Land Acquisition, no further orders are required to be passed in this writ petition.

6. Hence, the writ petition is closed. No costs.

7. Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

05.02.2018
TSNR

M.GANGA RAO, J

