

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.16117 OF 2007

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed to declare the proposed action of the respondents in issuing notification under Sections 4 (1) and 6 of the Land Acquisition Act (for short 'the Act') in ROC No.G4/92/06/SW dated 07.07.2007 published in Avineetiki Sankellu Telugu Daily newspaper for acquiring the petitioner's land admeasuring Ac.1.05 cents situated in Nelamuru Village, Penumantra Mandal, West Godavari District, as illegal and arbitrary.

The case of the petitioner is that she is the owner and possessor of the land admeasuring Ac.1.05 cents in R.S.No.163/1 situated at Nelamuru Village, Penumantra Mandal, West Godavari District (for short 'the subject land'). The first respondent issued notification under Section 4 (1) of the Act on 07.05.2006 proposing to acquire the subject land of the petitioner for the purpose of providing house sites to weaker sections of the Society. Questioning the same, petitioner filed W.P.No.18395 of 2006 and the same was disposed of by this Court on 29.09.2006 giving liberty to the petitioner to submit representation/additional representation raising objections/additional objections and on receipt of the same directed the Revenue Divisional Officer concerned to conduct fresh enquiry under Section 5-A of the Act after giving an opportunity to the petitioner, prepare a report and submit the same to the District Collector. Accordingly, the petitioner submitted detailed objections to the second respondent stating that she purchased land to an extent of Ac.0.55 cents and her husband purchased Ac.0.50 cents, total admeasuring Ac.1.05 cents in R.S.No.163/1 of Nelamuru Village, but

the District Collector passed orders on 25.02.2007 rejecting the objections raised by the petitioner and issued declaration under Section 6 of the Act on 07.07.2007. Hence, the petitioner filed this writ petition questioning the notifications issued under Sections 4 (1) and 6 of the Act.

This Court on 30.07.2007 while admitting the writ petition, granted interim stay of all further proceedings including dispossession of the petitioner from the subject land.

Today, when the matter is taken up for hearing, the learned Assistant Government Pleader, based on the instructions received from Tahasildar, Penumantra, vide Roc.102/2006(A) dated 07.02.2018, submits that in view of the interim stay granted by this Court, an alternative land to an extent of Ac.0.82 cents was acquired for the purpose of providing house sites to weaker sections and award was also passed. He further submits that there are no other pending land acquisition proposals for providing house sites to weaker section people under 'Indiramma Category-III' in Nelamuru Village and the petitioner's land is not required by the government for the proposed purpose.

In view of the submissions made by the learned Assistant Government Pleader, the writ petition is closed as no further orders are required to be passed in the writ petition.

Accordingly, the Writ Petition is closed.

Miscellaneous petitions pending in this petition, if any, shall stand closed. There shall be no order as to costs.

(M.GANGA RAO, J)