

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19217 of 2007

O R D E R:

This Writ Petition is filed seeking a Writ of *Mandamus* by declaring the impugned Notification No. R.C.G.2 2855/07 dated 13.6.2007 issued by the 2nd respondent-District Collector, Krishna District, which is published in Vijayawada edition of Vartha daily newspaper on 14.6.2007, seeking to acquire the lands of the petitioners in Sy.Nos.190/1 and 2 of Jakkampudi Village, Vijayawada Rural, Krishna District as illegal, arbitrary and violative of Article 14 and 300-A of the Constitution of India.

Heard Sri C.B. Rammohan Reddy, counsel for the petitioners and the learned Government Pleader for Land Acquisition.

It is the case of the 1st petitioner that he is the owner and possessor of the land to an extent of Ac.2.83 cents in Sy.No.190/1 and 2 of Jakkampudi village. The 2nd and 3rd petitioners also own and possess land to an extent of Ac.1.34 cents and Ac.1.50 cents respectively in the above said survey number. The 2nd respondent issued the impugned notification dated 13.6.2007 to acquire the lands for Jahawarlal Nehru National Urban Renewal Mission Programme. Questioning the said notification, the present writ petition is filed.

Learned counsel for the petitioners submits that questioning the very same notification dated 13.6.2007 issued by the District Collector, Krishna, Writ Petition No.4360 of 2007 and batch were filed and this Court vide orders dated 4.6.2010 allowed the said

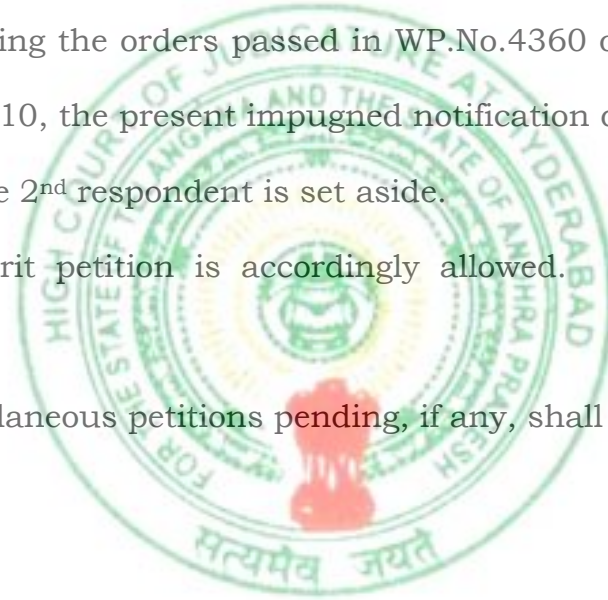
batch of cases relying on the judgment in ***Gajjella Narsimha Reddy v. Collector, Ranga Reddy District***¹, holding that the purpose for which the land has been proposed to be acquired is vague and the said notification was struck down. Following the orders passed in the above batch of cases, one such W.P.No.18922 of 2007 was allowed by this Court vide orders dated 5.2.2008.

Learned Government Pleader appearing for the Land Acquisition had fairly conceded that this writ petition is also covered by the orders passed in WP.No.4360 of 2007 & batch dated 4.6.2010.

Following the orders passed in WP.No.4360 of 2007 & batch dated 4.6.2010, the present impugned notification dated 13.6.2007 issued by the 2nd respondent is set aside.

The writ petition is accordingly allowed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.



ABHINAND KUMAR SHAVILI, J

Date: 28/03/2018

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¹ 2008(5) ALD 302