

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.16401 OF 2017

ORDER:

This Writ Petition is filed for the following relief:

“...to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents as illegal and arbitrary in acquiring the land of the petitioners in Survey No.191-7 situated at Vinayak Nagar, Ananthapur Town and District to the extent of Acs.20.00 cents without any notice nor any procedure contemplated under the Land Acquisition Act and without paying compensation, to direct the respondents to pay compensation or grant alternative land to the petitioners, to declare the action of the respondents as violative of Article 300-A of the Constitution of India and pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.”

This Court, by order dated 28.04.2017, directed the second respondent to file a counter affidavit by 30.06.2017 with regard to payment of compensation to the land already acquired.

Today when the case is called, none appeared for the second respondent.

Learned counsel for the petitioners submits that the order passed in WP.No.26184 of 2010 dated 18.11.2013 squarely covers the present Writ Petition also.

In view of the same, this Writ Petition is disposed of with the following order:

“In spite of the pendency of the matter for the last one year, no counter affidavit has been filed. In the absence of the counter, this Court is not in a position to determine the rights of the

petitioners and the extent of land involved in widening the road from RTC bus-stand Road to Gooty Road, Anantapur Town.

The respondents shall consider the request of the petitioners for payment of compensation for the land involved in the road widening process, provided the petitioners shall show evidence as to the title to their land effected by road widening. The entire process of payment of compensation shall be completed within a period of three months from the date of receipt of a copy of this order.”

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

(A.RAMALINGESWARA RAO, J)

16th April 2018
RRB

