

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No. 10036 of 2006

ORDER:

This writ petition is filed seeking to declare the action of the respondents in proposing to dispossess the petitioner from the subject lands admeasuring Ac.3.71 cents in R.S.Nos.30/4A and 30/4C belonging to the 3rd respondent-Temple situated at Rajavaram Village, Atreyapuram Mandal, East Godavari District, as illegal and arbitrary.

Brief facts of the case, according to the petitioner, are that he is a cultivating tenant of the subject lands belonging to the 3rd respondent-Temple for the last 40 years and has been paying the rents regularly. On enquiry, he came to know that Atreyapuram Mandal is declared as "Indiramma Adarsha Mandal" and the respondent-authorities are trying to distribute the temple lands, including the subject lands, to the people of their choice.

The grievance of the petitioner is that he is the person interested under Section 5-A of the Land Acquisition Act, 1894 and that the respondent-authorities cannot unilaterally take a decision to take possession of the subject lands without initiating any proceedings.

Today, when the matter came up for hearing, Sri Challa Dhanamjaya, learned counsel for the petitioner, submits that the petitioner has participated in the auction conducted by the 3rd respondent; he is in possession of the subject lands; and no further orders are necessary in the writ petition.

In view of the aforesaid submission of the learned counsel for the petitioner, no further orders are necessary in the writ petition and the Writ Petition is, accordingly, closed. Miscellaneous Petitions pending, if any, shall also stand closed. There shall no order as to costs.

(KONGARA VIJAYA LAKSHMI, J)

16th February, 2018
JSU

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Date: 16.02.2018

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