

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE MS JUSTICE J.UMA DEVI

Writ Petition No.16236 of 2018

ORDER: (Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan)

After putting forth his submissions for some time, Sri K.S.Murthy, learned counsel for the petitioners, submits that the petitioners do not wish to press for the relief, sought for in the writ petition, to the extent a declaration was sought that the amendments made to Central Act 30 of 2013 by State Act 21 of 2017, dispensing with the consent from 70% of the land owners, social impact assessment and provisions of food security, is *ultra vires* the Constitution of India; and they intend to confine their challenge in the writ petition only to the procedural violations of Central Act 30 of 2013, as amended by State Act 21 of 2017, with respect to the subject acquisition.

But for the challenge to the constitutional validity of statutory provisions, this writ petition would have been listed before the Learned Single Judge hearing matters relating to land acquisition. As the challenge to the constitutional validity of amending Act 21 of 2017 is now given up, the writ petition would be required to be heard by the Learned Single Judge.

Sri K.S.Murthy, learned counsel for the petitioners, would submit that, since a comprehensive writ petition has been filed challenging both the constitutional validity of State Act 21 of 2017, and the procedural violations in the subject acquisition, it would suffice if the petitioners are granted liberty to file a writ petition afresh questioning the procedural violations by the respondents of Central Act 30 of 2013 as amended by State Act 21 of 2017.

Granting liberty as sought for, the Writ Petition is dismissed as withdrawn. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

07th June, 2018
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Date: 07.06.2018

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