

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.21241 OF 2007

ORDER:

The case of the petitioners is that they are landlords in respect of lands admeasuring Ac.0-17 cents, Ac.0-17 cents, Ac.0-20 cents, Ac.0-17 cents, Ac.0-64 cents in Sy.Nos.42/9, 42/10, 42/11, 42/12, 42/14 respectively, situated in Thopugunta Agrharam, Kaluvari Mandal, Nellore Districct and questioning the notification issued under Section 4(1) of the Land Acquisition Act, 1984 in Rc.G1/3356/07, dated 30-06-2007 by the District Collector, Nellore, this writ petition has been filed.

2. The main contention of the petitioners is that possession of the lands has not been taken and compensation has not been paid to the petitioners by the respondents. Section 24(1) of the Land Acquisition Act categorically provides the period of four years and Section 11-A of the old Act provides for two years with regard payment of compensation.

3. At the time of admitting the writ petition, an interim order was passed on 8-10-2007 directing that if the declaration under Section 6 of the Act and notice under Section 9(1) of the Act has not been served, the respondents are not entitled to take possession.

4. It is the case of the petitioners that land has not been acquired physically and the petitioners are in possession and the respondents have not paid any compensation. In view of the lapse of time as contemplated under the Act, the notification to

the extent of the lands of the petitioners is held as inapplicable and the same is null and void.

5. The writ petition is accordingly disposed of. No order as to costs. As a sequel, the miscellaneous petitions pending if any shall stand closed.

T.AMARNATH GOUD, J

Date: 25-01-2018.
Shr.

