

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24888 OF 2007

ORDER :

This Writ Petition is filed seeking a *mandamus* to declare the notification issued under Section 4(1) of the Land Acquisition Act, 1894 dated 21.12.2005 and declaration under Section 6 of the Act, dated 22.12.2005 by dispensing with enquiry under Section 5-A insofar as it relates to the lands of the petitioners in Survey No. 974 to an extent of Ac.1.04 guntas, in Survey No. 963 to an extent of Ac.0.34 guntas respectively situated at Chelpur Village, Mulugu Ghanpur Mandal, Warangal District for the purpose of establishment of Thermal Power Station, as illegal and arbitrary.

The case of the petitioners is that the subject land is the only source of their livelihood and the thermal project was constructed in an extent of about Acs.250 to 300 out of Acs.789-39 guntas acquired and the remaining land was kept vacant. It is their further case that if their land is deleted from the notification, the same will not affect the construction of the thermal project. According to the petitioners, the proposals sent by the Land Acquisition Officer for deletion of their lands *vide* letter dated 12.05.2006 is pending consideration with the District Collector.

The 3rd respondent Revenue Divisional Officer filed a counter-affidavit.

Today, learned Government Pleader for Land Acquisition has placed on record the copy of the Award dated 01.10.2012, as per which, the 1st petitioner was paid a sum of Rs.4,12,500/- for Ac.0.11 guntas and for the total extent of Ac.1.04 guntas, a sum of Rs.16,50,000/- was paid to eight members. Likewise, for the land

in Survey No. 963, the 2nd petitioner along with her family members was paid a sum of Rs.7,90,500/-. In those circumstances, it is submitted that the cause in the Writ Petition does not survive for further adjudication.

Recording the said submission, the Writ Petition is closed, as the petitioners were paid the compensation amount, as per the Award dated 01.10.2012. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

01st November 2018

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