

HON'BLE SRI JUSTICE M.GANGA RAO

W.P.No.11212 OF 2007

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus declaring the notification *vide* RC.G.2/6218/06, dated 29.11.2006 issued by the District Collector under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act') proposing to acquire the petitioners' land in an extent of Ac.2.29 cents (Ac.1.14½ cents each) in Sy.Nos.7-1B & 7-1A of Pudi village, Tada Mandal, Nellore District and declaration made under Section 6 of the Act on 30.4.2007, as illegal and arbitrary and contrary to the provisions of Section 5-A of the Act and to set aside the same.

It is the case of the petitioners that they are pattadars and possessors of the land admeasuring Ac.1.14 ½ cents in Sy.Nos.7-1B & 7-1A, Pudi village, Tada Mandal, Nellore District, having purchased the same along with other lands from its original pattadars viz., P.Karunakaran and K.Gita through registered sale deed dated 30.10.1993. At the instance of the Zonal Manager, APIIC, the 1st respondent issued notification under Section 4 (1) of the Act proposing to acquire the land admeasuring Ac.7.24 cents in Sy.Nos.7 & 8 of Pudi Village, Tada Mandal for establishment of an Industrial Park by APIIC, Nellore and enquiry under Section 5-A of the Act was conducted and thereafter, declaration was issued. The petitioners filed the present writ petition questioning

the draft notification dated 29.11.2006 issued by the 1st respondent under Section 4 (1) of the Act.

While admitting the writ petition, this Court on 11.06.2006 in WPMP No.13985 of 2007 granted interim stay.

In pursuance of the said interim order, land in Sy.No.7/1 admeasuring Ac.2.29 cents was excluded from acquisition and an Award was passed on 20.07.2007 for the remaining extent of Ac.4.95 cents in Sy.Nos.8/1 to 8/21 of Pudi Village, Tada Mandal and compensation amount was also paid to the land owners.

When the matter is taken up for hearing, learned Government Pleader, on instructions from the revenue authorities *vide* letter dated 2.2.2018, submits that the Zonal Manger, APIIC Limited Nellore, who is the requisition authority, reported that the land is no longer required for establishment of Industrial Park.

Recording the said submission, the Writ Petition is closed.

Miscellaneous petitions, if any, pending shall stand closed.

15th February, 2018
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JUSTICE M.GANGA RAO