

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 31198 of 2018

ORDER:

The present Writ Petition came to be filed seeking issuance of a writ of mandamus declaring the action of the respondents 2 to 4 in conducting survey and earmarking the petitioners' land situated in Sy.No.219-3 an extent of Ac.4.88 cents, an extent of Ac.1.15 cents in Sy.No.220-4, an extent of Ac.3.09 cents in Sy.No.220-2, an extent of Ac.2.50 cents in Sy.No.221-4, an extent of Ac.1.19 cents in Sy.No.222-1, an extent of Ac.0.49 cents in Sy.No.220-6, an extent of Ac.1.30 cents in Sy.No.221-5, an extent of Ac.4.19 cents in Sy.No.222-3, an extent of Ac.2.38 cents in Sy.No.221-6, an extent of Ac.3.64 cents in Sy.No.219-2A, an extent of Ac.0.43 cents in Sy.No.221-5, an extent of Ac.1.75 cents in Sy.No.97-3 of A.Narayanapuram village, Anantapuramu Mandal, Anantapuramu District for allotment of house sites, without issuing notice and without acquiring the land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as illegal and improper.

2. At the time when the matter is taken up for hearing, it was noticed that the vakalath, which has been filed, neither contain the signature of the counsel in whose the name the Writ Petition is listed nor the signature of the writ petitioners came to be attested by an Advocate in proof of their execution before him.

3. At this stage, Sri S.D.Gowd, Advocate, in whose name the Writ Petition is filed, would submit that some mistake has occurred while filing the writ petition and he may be permitted to withdraw the writ petition. He further submits that even the Registry could not notice the same and numbered the Writ Petition as well. He pleads that such a mistake will not take place again. When the Officers, who have passed the Writ Petition, are enquired, they pleaded that by mistake the same came to be numbered, as there was some confusion as to where it should be posted i.e., as to whether before the Bench having roaster to deal with the Revenue matters or before the Bench dealing with Land Acquisition matters. The Officers, who passed the present Writ Petition pleaded that they will be more careful in future.

4. Having regard to the above, the Writ Petition is dismissed as withdrawn giving liberty to the petitioners to file a fresh Writ Petition.

5. As sequel to it, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Dt:24.09.2018

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