

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.41158 OF 2018

Date:16.11.2018

Between:

Golla Shivamma, W/o. Late Obulapathi,
Aged 45 years, Occ: Agriculture,
R/o. Vepakunta Village, Kanaganapalle
Mandal, Anantapur District, Andhra Pradesh .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue (Land
Acquisition) Department, Secretariat
Buildings, Velagapudi, Amaravathi,
Guntur District and others .. Respondents



This Court passed the following order:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.41158 OF 2018****ORDER:**

Heard.

2. In the preliminary notification dated 31.07.2018, land to an extent of Acs.4.28 cents in Survey No.155-2 was not included, whereas in the declaration, dated 06.11.0218, issued under Section 19 (1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act'), property of the petitioner is shown against serial No.21.

3. Without preliminary notification to acquire land of a private person for public purpose, declaration under Section 19 (1) of the Act cannot be issued and therefore the notification to that extent is liable to be set aside.

4. Learned Government Pleader for Land Acquisition also fairly submits that as the provisional notification did not contain the particulars of the property claimed by petitioner, declaration to that extent is not sustainable.

5. Having regard to the same, the declaration, dated 06.11.2018, to the extent of land to an extent of Acs.4.28 cents in Survey No.155-2 shown against Serial No.21 is set aside. The respondent authorities are granted liberty to take steps in accordance with the Act.

6. The Writ Petition is accordingly allowed. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:16.11.2018

KH

