

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 9649 OF 2019

ORDER:

In view of the nature of controversy involved in the Writ Petition, at the request of the learned counsel for the petitioners as well as learned Government Pleader for Land Acquisition and Sri C. Buchi Reddy, learned Standing Counsel for Respondents 2 and 3, the Writ Petition is taken up for disposal at the admission stage itself.

To declare the action of the respondents in taking the lands in Survey No. 259/E admeasuring Acs.3.00 guntas situated at Pullur Village, Undavelli Mandal, Jogulamba Gadwal District belonging to the petitioners for the purpose of laying gravel road without following due process of law, as illegal, the Writ Petition is filed.

The claim of the petitioners is that the land in Survey No. 259/1 was not part of the Award proceedings, dated 24.03.2009. and that the land acquired is only in Survey No. 259/2 over an extent of Acs.2.36 guntas. It is the allegation of the petitioners that in the process of developing the lay out in the land acquired by the Housing Board, the respondents are encroaching into their land. As it is also the case of the respondents that they are developing the lay out only in the land acquired and possession of which was taken over under Award dated 24.03.2009, the respondents shall not, in any manner, interfere with the land in Survey No. 259/1. However, if any problem arises as to the identification of the property of the petitioners, whether it is in Survey No. 259/1 or not, the 5th respondent Tahsildar shall conduct survey of the land

and demarcate the boundaries, duly issuing notice to the petitioners as well as Respondents 2 and 3.

With this order, the Writ Petition stands disposed of. No costs.

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

CHALLA KODANDA RAM, J

01st May 2019

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