

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 11830 of 2019

Date : 18.6.2019

Between:

Smt Ananthanma W/O Late Pandaraiah
Aged about 63 years Occ Agriculture Rio Nazeerabad Village
Pargi Mandal Vikarabad District and another

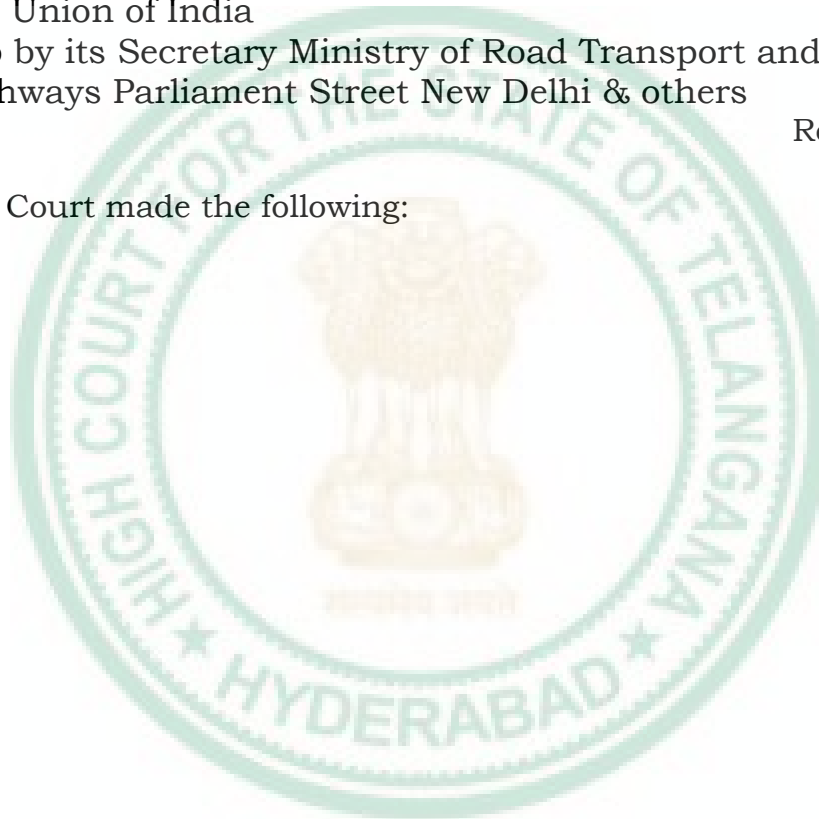
Petitioners

And

The Union of India
Rep by its Secretary Ministry of Road Transport and
Highways Parliament Street New Delhi & others

Respondents

The Court made the following:



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ORAL ORDER:

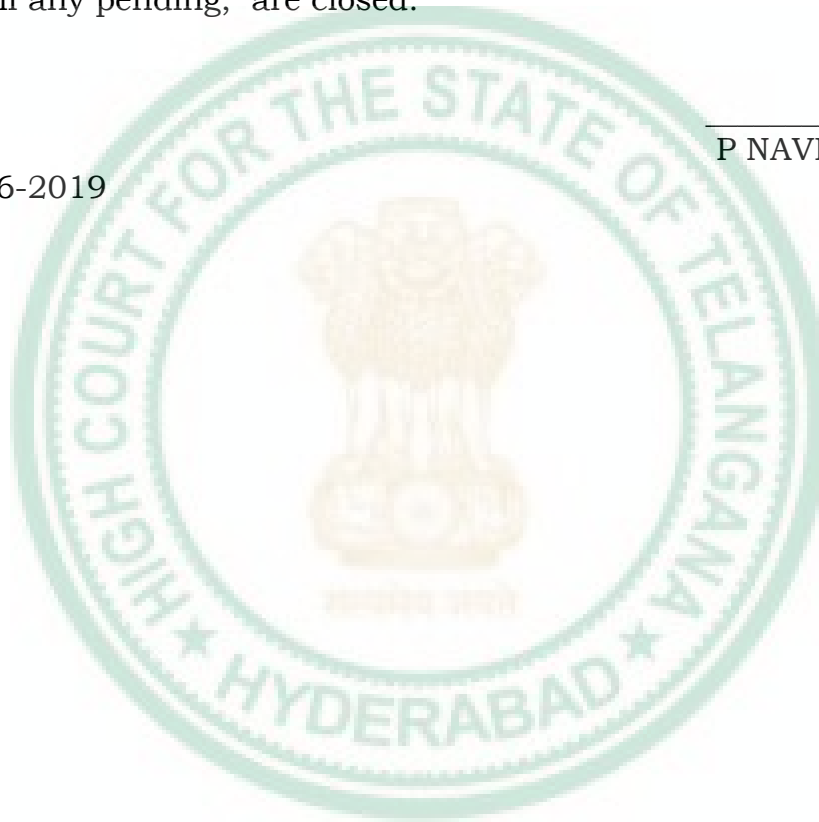
First petitioner claims to be the pattadar of agricultural land to an extent of Ac.0.30 guntas in Survey No. 165/AA and his son/second petitioner herein is pattadar of land admeasuring Ac.2.30 guntas in Survey No. 164/AA of Nazeerabad village, Vikarabad district. Petitioners allege that respondents are trying to dispossess the petitioners and utilize the subject land for widening of National Highway, without following the due process and without paying the compensation. Hence this writ petition.

2. Learned standing counsel for NHAI, informs the Court that Central Government authorized the State Government to undertake acquisition of the requisite land to widen the National Highway, accordingly, the Revenue Divisional Officer has initiated steps to acquire the land required for the purpose of widening the National Highway. In the written instructions furnished to the learned Government Pleader, the Revenue Divisional Officer/Land Acquisition Officer, Vikarabad division, Vikarabad informed that notification was issued under Section 3-A of the National Highways Act, 1956 but the land of the petitioners to an extent of Ac. 3.20 guntas in Survey Nos. 164/AA (Ac. 2.30 guntas) and 165/AA (Ac.0.30 guntas) is not coming under acquisition, therefore, no steps are taken to acquire the same. According to learned Government Pleader, land of the petitioners is not required for widening of the road. It is also made clear that in the land acquisition notification, land claimed by the petitioners is not included.

3. In view of the categorical assertion of 6th respondent that land of the petitioners is not required for widening of the National Highway and that no steps are taken for acquiring the said land, writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the land of the petitioners in Survey Nos. 164/AA (Ac. 2.30 guntas) and 165/AA (Ac.0.30 guntas) of Nazeerabad village, Vikarabad district, without following due process. Miscellaneous petitions, if any pending, are closed.

DATE:18-6-2019
TVK

P NAVEEN RAO,J



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