

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND EIGHT

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 18739 of 2008

Between:

- 1 Desireddi Venkataramamma W/o.Rami Reddy
R/o.Annambaka(V) Chillakuru(M) Nellore District
- 2 Desireddi Rami Reddy @ Rama Linga Reddy S/o.
Lakshmi Reddy, R/o.Annambaka(V) Chillakuru(M) Nellore
District

.....
PETITIONERS

AND

- 1 The District Collector Nellore,Nellore District
- 2 The Superintnding Engineer R&B Department Govt of
A.P Nellore District
- 3 The Executive Engineer R&B Department Government
of A.P Gudur, Nellore District
- 4 The Deputy Executive Engineer R&B Department Govt
of A.P Kota, Nellore District

.....**RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in starting laying the road across the land in Sy.No.20-2 extent ac 1.87 cents Sy.No.20-3 extent ac 0.50 cents situated at Annambaka(V) Chillakuru(M) Nellore District belonging to 2nd petitioner without initiating land acquisition proceedings under the Land Acquisition act is arbitrary illegal without jurisdiction and in violation of the procedure contemplated in the Land Acquisition act and consequently direct the respondents not to lay the road across the above said land without initiating Land Acquisition proceedings under the Land Acquisition act.

Counsel for the Petitioner: MR.CH.CKRISHNA REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No. 18739 of 2008

ORDER:

This writ petition is filed with the following prayer:

“To issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in starting laying the road across the land in Sy.No.20-2 extent Ac.1.87 cents Sy.No.20-3 extent Ac.0.50 cents situated at Annambaka(V) Chillakuru(M) Nellore District belonging to the 1st petitioner and in the land in Sy.No.36; extent Ac.1.22 cents situated at Annambaka Village, Chilakuru Mandal, Nellore District belonging to 2nd petitioner without initiating land acquisition proceedings under the Land Acquisition Act is arbitrary, illegal without jurisdiction and in violation of the procedure contemplated in the Land Acquisition Act and consequently direct the respondents not to lay the road across the above said land without initiating Land Acquisition proceedings under the Land Acquisition Act.”

Having heard the learned counsel for the petitioners and the learned Government Pleader for Land Acquisition appearing for the respondents and having regard to the specific plea of the petitioners that no steps have been initiated under any statute for

acquisition of the land in question, the writ petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioners in respect of the land in question, without following due process of law. No costs.

G. ROHINI,J

Date: 29-08-2008
KLP