

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No. 19940 of 2011

Date: 31-10-2011

Between:

1.V.Maula Sab and 16 others

..... Petitioners

and

1.The District Collector,
Anantapur District and another.

.....Respondents

Counsel for the Petitioners: Sri S.D.Gowda

**Counsel for the Respondents: AGP for Land
Acquisition**

The Court made the following :

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ORDER:

This Writ Petition is filed for a Mandamus to declare the action of respondent No.2 in continuing the land acquisition proceedings in pursuance of notification, dated 13-10-2008, issued under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act'), and directing the petitioners to appear for enquiry on 29-06-2011, before respondent No.2, as illegal and arbitrary. The petitioner sought for a consequential relief of setting aside the said notification.

At the hearing, Sri S.D.Gowd, learned Counsel for the petitioner, submitted that the main plea, on which the Writ Petition is filed, is that the award was not made within two years of publication of declaration under Section 6 of the Act; that, the respondents, in their counter-affidavit, stated that an award was made on 01-07-2011 and the same was approved by the District Collector on 04-07-2011, which is within two years from the date of publication of declaration under Section 6 of the Act, and; that therefore, the Writ Petition may be dismissed with liberty to his client to challenge the award in appropriate proceedings.

The Writ Petition is, accordingly, dismissed as

withdrawn with liberty to the petitioner in terms of the prayer made. It is made clear that the liberty, accorded to the petitioner, shall not be construed as this Court accepting the petitioner's right to maintain further legal proceedings as the same requires to be adjudicated as and when such legal proceedings are initiated.

As a sequel, WPMP.No.24139 of 2011, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

31st October, 2011

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