

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 24561 OF 2015



Between:

Smt.Kunigiri Gangamma, W/o Late K.Thippe Swamy, Aged about 65 years,
Occ: Housewife, R/o D.No.8-210 & 8-211, Main Bazaar, Kalyandurg,
Anantapuram District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by Principle Secretary (Municipal Administration & Urban Development), Secretariat Buildings, Hyderabad.
2. The Kalyandurg Municipality, Rep. by it's Municipal Commissioner, Kalyandurg, Anantapuramu District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the 2nd Respondent personnel without considering the objections dt.25.07.2015 of the petitioner and also not invoking the provisions of Act 30 of 2013 i.e., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 in taking the private properties of the petitioner is illegal, arbitrary and violation of principles of natural justice further infraction of Articles 21, 300-A of Constitution of India and also Act 30 of 2013 and consequently direct the Respondents strictly adhere the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) in taking or acquiring the petitioner's private properties of the Petitioner i.e., Door Nos.8-210 and 8-211, Main Bazaar, Kalyandurg, Anantapuram District.

I.A. NO: 1 OF 2015(WPMP. NO: 31889 OF 2015)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents strictly adhere the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) in taking or acquiring the petitioner's private properties of the Petitioner i.e., Door Nos.8-210 and 8-211, Main Bazaar, Kalyandurg, Anantapuram District, pending disposal of the main writ petition, in the interest of justice.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant leave to the petitioner / 2nd respondent in the W.P.No.24561 of 2015 to file the Counter affidavit in the Writ petition.

Counsel for the Petitioner(s):SRI. MAHESWARA RAO KUNCHEAM

Counsel for the Respondent No 1 : GP MUNICIPAL ADMN AND URBAN

DEV AP

Counsel for the Respondent No 2 : MD SALEEM

The Court made the following : ORDER



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3209]

FRIDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO:24561/2015

Between:

1. Smt. Kunigiri Gangamma, W/o Late K. Thippe Swamy, Aged about 65 years, Occ: Housewife, R/o D.Nos.8-210 868-211, Main Bazaar, Kalyandurg, Anantapuram District.

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by Principal Secretary (Municipal Administration & Urban Development), Secretariat Buildings, Hyderabad.
2. The Kalyandurg Municipality, rep. by its Municipal Commissioner, Kalyandurg, Anantapuramu District.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the 2nd Respondent personnel without considering the objections dt.25.07.2015 of the petitioner and also not invoking the provisions of Act 30 of 2013 i.e., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in taking the private properties of the petitioner is illegal, arbitrary and violation of principles of natural justice further infraction of Articles 21, 300-A of Constitution of India and also Act 30 of 2013 and consequently direct the Respondents strictly adhere the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) in taking or acquiring the petitioner's private properties of the Petitioner i.e., Door Nos 8-210 and 8- 210, Main Bazaar, Kalyandurg, Anantapuram District and to pass.

**IA NO: 1 OF 2015(WPMP 31889 OF 2015)**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents strictly adhere the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) in taking or acquiring the petitioner's private properties of the Petitioner i.e., Door Nos.8-210 and 8-216, Main Bazaar, Kalyandurg, Anantapuram District, pending disposal of the main writ petition, in the interest of justice.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant leave to the petitioner / 2nd respondent in the W.P.No.24561 of 2015 to file the Counter affidavit in the Writ petition and pass

Counsel for the Petitioner:

1. Maheswara Rao Kuncheam

Counsel for the Respondents:

1. G.P. for Municipal Administration
2. N Ranga Reddy (SC MC RSEEMA SPSR NLR)

The Court made the following ORDER:

At the time of considering the matter, it is stated on behalf of the learned counsel for the petitioner that the cause in the writ petition does not survive for adjudication.

2. Hence, the writ petition is closed. No costs. Miscellaneous petitions pending, if any, shall stand closed.

Sd/- A. VENUGOPALA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. MD SALEEM Advocate [OPUC]
2. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP ,High Court Of Andhra Pradesh. [OUT]
3. THREE CD Copies

Bkb
PRK

HIGH COURT

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DATED:28/06/2024

ORDER

WP.No.24561 of 2015



CLOSING THE WP, WITHOUT COSTS