

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

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY
WRIT PETITION NO: 19989 OF 2021

Between:

Mettu Srinivas Reddy, S/o Late Bushi Reddy, Aged about 55 years, Flat No.801,
Block 4, SMR Vinay Fountain Head, Miyapur, Hyderabad-500049.

.... Petitioner

AND

1. Union of India., Ministry of Surface Transport and Highways Department, Bhawan 1, Sansad Marg, New Delhi, Delhi 110001 Represented by its Secretary.
2. National Highways Authority of India, G 5 and 6, Dabri - Gurgaon Rd, Sector 10 Dwarka, Dwarka, New Delhi -110075. Represented by it's the Chairman.
3. The Project Director/Officer, (N H 5, Phase III) National Highways Authority of India, Project Implimentation Unit, Vanamali Building Gurunanak Colony, Vijayawada - 520008, Krishna District.
4. Competent Authority,, Land Acquisition and Revenue Divisional officer, O/o.Sub Collector, M G Road, Vijayawada-500002, Krishna 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 of Mandamus or any other appropriate writ or order or direction A) declaring the action of the respondents in trespassing and trying to encroach the petitioner's patta land in an extent of 18.26 Cents equivalent to 739 Sq meters in RS.No.576/2 of Nunna Village, Vijayawada Rural Mandal for the purpose of formation of Road without giving any notice and/or initiating any acquisition proceedings as arbitrary, illegal, violative of Articles 300A of Constitution of India as well as principles of natural justice and without Jurisdiction and consequently B) direct the respondents not to enter into or interfere with the possession and enjoyment of petitioner's patta land in an extent of 18.26 Cents equivalent to 739 Sq meters in RS.No.576/2 of Nunna Village, Vijayawada Rural Mandal without following due process of law.

IA NO: 1 OF 2021

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 not to enter into or interfere with the possession and enjoyment of petitioner's land in an extent of 18.26 Cents equivalent to 739 Sq meters in RS.No.576/2 of Nunna Village, Vijayawada Rural Mandal in any manner and pass, Pending disposal of WP 19989 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and and upon hearing the arguments of Sri P Girish Kumar Advocate for the Petitioner and Sri Harinath N Asst Solicitor General for the Respondent No.1 and Sri S.S.Varma SC for NHA for R.2 and R3, and GP for Land Acquisition for R.4, and the Court made the following.

ORDER:

"At request of learned counsel appearing for respondents/ National Highways Authority to obtain instructions.

Post on 20.09.2021.

Meanwhile the respondents are directed not to encroach the land of the petitioners, while directing them limit their work in the acquired land."

Sd/-M.PRABHAKAR RAO
ASSISTANT REGISTRAR

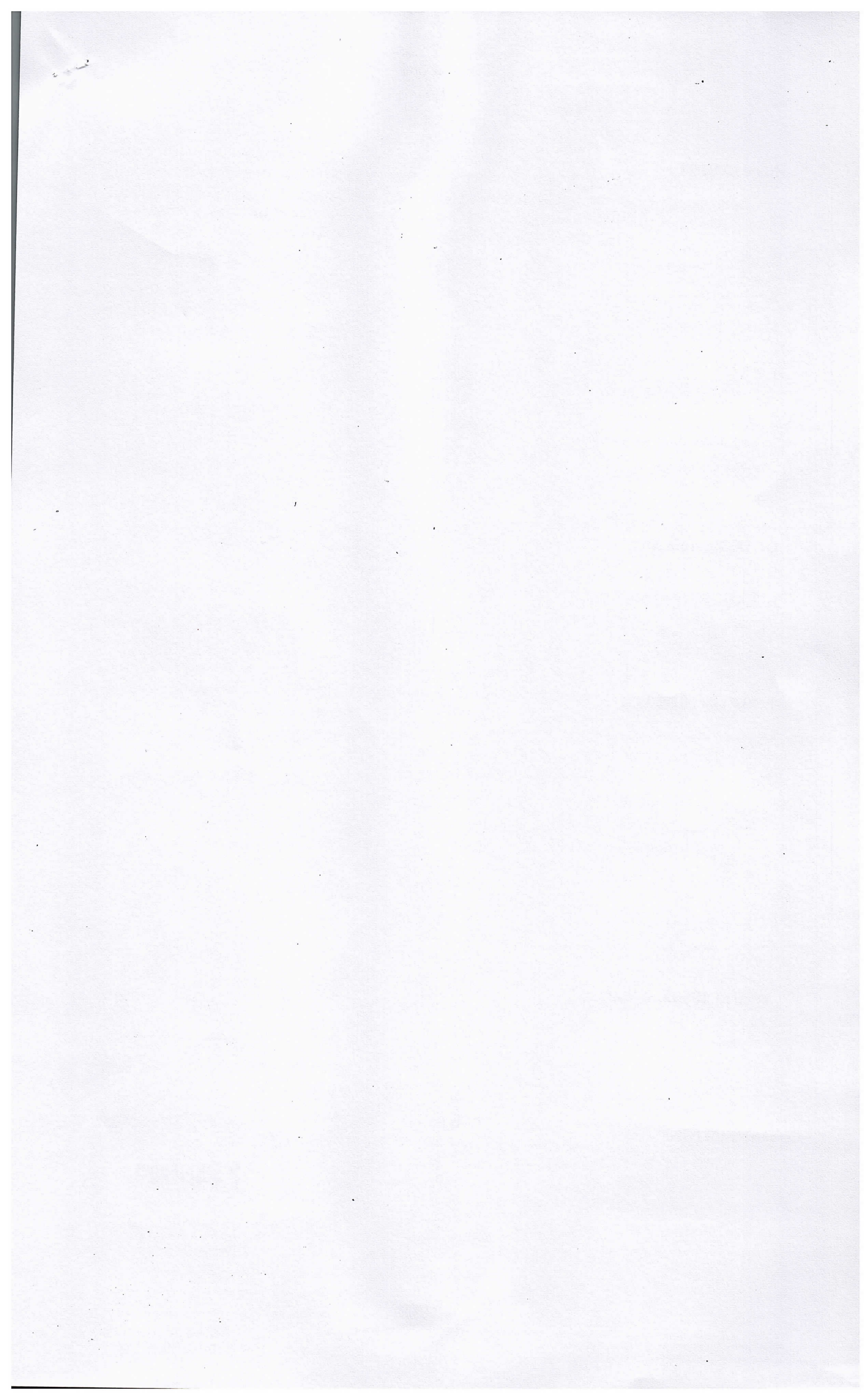
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For ASSISTANT REGISTRAR

To,

1. Union of India., Ministry of Surface Transport and Highways Department, Bhawan 1, Sansad Marg, New Delhi, Delhi 110001 Represented by its Secretary.
2. National Highways Authority of India, G 5 and 6, Dabri - Gurgaon Rd, Sector 10 Dwarka, Dwarka, New Delhi -110075.
3. The Chairman. Project Director/Officer, (N H 5, Phase III) National Highways Authority of India, Project Implimentation Unit, Vanamali Building Gurunanak Colony, Vijayawada - 520008, Krishna District.
4. Competent Authority, Land Acquisition and Revenue Divisional officer, O/o.Sub Collector, M G Road, Vijayawada-500002, Krishna District.(RR 1 to 4 by RPAD)
5. One CC to Sri. P Girish Kumar Advocate [OPUC]
6. One CC to Sri. Harinath N (Asst Solicitor General) Advocate [OPUC]
7. Two CC's to GP for Land Acquisition, High Court of AP, Amaravati[OUT]
8. One CC to S.S.Varma SC for NHAI [OPUC]
9. One spare copy

PR



HIGH COURT

MSMJ

DATED:13/09/2021

POST ON 20.09.2021

ORDER

WP.No.19989 of 2021

DIRECTION

