

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

**TUESDAY, THE NINETEENTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
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, 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 the order of the High Court dated 13.09.2021 & 28.11.2023 made herein and upon hearing the arguments of Sri M.Chalapathi Rao, Advocate for the Petitioner and The Deputy Solicitor General of India for the

Respondent No.1 and Sri S.S.Varma SC for NHAI for R.2 and R3, and Assistant GP for Land Acquisition for R.4, and the Court made the following

ORDER:

"Learned Assistant Government Pleader for Land Acquisition sought time for filing counter.

Post on 10.01.2024. In the meantime, reply if any.

Interim orders granted earlier are extended for a period of six (06) weeks."

//TRUE COPY//

SD/- K.TATA RAO
DEPUTY REGISTRAR

fr SECTION OFFICER

To,

1. One CC to SRI M.CHALAPATI RAO, Advocate [OPUC]
2. One CC to The Deputy Solicitor General of India, High Court of A.P.[OPUC]
3. Two CC's to GP for Land Acquisition, High Court of AP, Amaravati[OUT]
4. One CC to S.S.Varma SC for NHAI [OPUC]
5. One spare copy.

CVSS

HIGH COURT

RC,J

DATED:19/12/2023

POST ON 10.01.2024.

ORDER

WP.No.19989 of 2021

INTERIM ORDER EXTENDED

