

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**



WEDNESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 15918 OF 2023

Between:

M/s. V.K. Infrastructures, Rep. by its Managing Partner, Sri Kodavati Tata Rao
S/o Chinasatyanarayana, aged 56 years, R/o D.No.6-22-9, Flat No.5, VK Icon,
Near Sun and See Apartment, East Point Colony, Visakhapatnam-530017.

...Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue and Land Acquisition Department, Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh.
2. The District Collector, Vizianagaram District, at Vizianagaram.
3. The Special Deputy Collector cum-land Acquisition Officer, Green Fields International Airport, Bhogapuram, Vizianagaram District.
4. The Tahsildar, Bhogapuram Mandal, Vizianagaram District.
5. Andhra Pradesh Airports Development Corporation Limited, Rep by its Managing Director and having its registered office at R S No 254/2, AVSR Bhavan, 2 and 3 Floors, Kanuru Main Road, Opp to My Mart Super Market, Kanuru, Vijayawada.
6. Revenue Divisional Office, Vizianagaram District
7. Visakhapatnam Metropolitan Region Development Authority, rep by its Metropolitan Commissioner, Vishakhapatnam, Vishakhapatnam 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 an appropriate writ or order or direction, more particularly, one in the nature of Writ of Mandamus declaring the high-handed action of the Respondents in disturbing the possession and enjoyment of the Plot Nos. 45, 28, 27, 10 and Public open space area 1 & 2 in Layout land in Sy.No.108/1, 108/2A/1/p, 108/2A/1A/1, 109/3p & 110/3p of Gudepuvalasa locality/village, Bhogapuram Mandal, Vizianagaram District of the Petitioner in spite of being certified by respondent no. 3, that the said land are not acquired under land acquisition as illegal, arbitrary, unjust and wholly contrary to the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 ('the Act') and rules there under and further violative of Art 14, 21 and 300A of the Constitution of India and further violative of Principles of Natural Justice and consequently direct the Respondents not to interfere with the peaceful possession and enjoyment of the Subject lands of the Petitioner.

IA NO: 1 OF 2023

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 stay all further acquisition proceedings with respect to Plot Nos. 45, 28,

27, 10 and Public open space area 1 & 2 in Layout land in Sy.No.108/1, 108/2A/1/p, 108/2A/1A/1, 109/3p & 110/3p of Gudepuvalasa locality/village, Bhogapuram Mandal, Vizianagaram District, pending disposal of WP 15918 of 2023, 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 upon hearing the arguments of Sri Javvaji Sarath Chandra, Advocate for the Petitioner and of GP for Land Acquisition for Respondent Nos.1 to 3, GP for Revenue for Respondent Nos.4 & 5, Sri V. Surya Kiran, Standing Counsel for Respondent No.7, the Court made the following
ORDER:

"List this case tomorrow i.e., on 06.07.2023 in the 'Motion List'.

In the meanwhile, no coercive action in respect of the subject matter lands shall be resorted to."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1. The Principal Secretary, Revenue and Land Acquisition Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh.
2. The District Collector, Vizianagaram District, at Vizianagaram.
3. The Special Deputy Collector cum-land Acquisition Officer, Green Fields International Airport, Bhogapuram, Vizianagaram District.
4. The Tahsildar, Bhogapuram Mandal, Vizianagaram District.
5. The Managing Director, Andhra Pradesh Airports Development Corporation Limited, having its registered office at R S No 254/2, AVSR Bhavan, 2 and 3 Floors, Kanuru Main Road, Opp to My Mart Super Market, Kanuru, Vijayawada.
6. The Revenue Divisional Office, Vizianagaram District
7. The Metropolitan Commissioner, Visakhapatnam Metropolitan Region Development Authority, Vishakhapatnam, Vishakhapatnam District. (1 to 7 by RPAD)
8. One CC to Sri. Javvaji Sarath Chandra, Advocate [OPUC]
9. One CC to Sri V. Surya Kiran, Standing Counsel [OPUC]
10. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
12. One spare copy.

MSB

HIGH COURT

NJS,J

DATED:05/07/2023

ORDER

List this case tomorrow i.e., on 06.07.2023 in the 'Motion List'.

WP.No.15918 of 2023

DIRECTION

