

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.13068 of 2005

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for the respondents.

It is the case of the petitioner that he is the owner and possessor of an extent of Ac.0.80 cents of land situated in Survey Nos.521/A, 2A, 21/D, 1A and 521/D2, A1 of Yemmiganuru Village and Mandal in Kurnool District.

The first respondent issued notification under Section 4(1) of the Land Acquisition Act, 1894 (for short, the Act), on 14.12.1998 for the purpose of providing house sites to weaker sections. Thereafter, a notice under Section 9(3) and 10 of the Act was also issued, and the same was received by the petitioner on 11.02.1999. When no action was taken thereafter, the petitioner approached this Court.

A counter affidavit is filed on behalf of the Revenue Divisional Officer stating that the draft notification under Section 4(1) and draft declaration under Section 6 of the Act were published on 12.12.1998 and 26.12.1998 respectively in the Kurnool District Gazette. The notices under Sections 9(1) & 10 and 9(3) & 10 of the Act were also served on the landowners on 11.02.1999. An award was passed on 14.03.2001. The lands were taken advance possession on 23.09.1999 by making payment of 80% of the compensation. The petitioner was awarded an amount of Rs.53,342/- for the Ac.0.80 cents of land acquired from him, and a notice was issued to him under Section 12(2) of the Act. He refused to take the notice and hence, the awarded amount was not paid to him.

In the circumstances, the respondents are directed to issue notice to the petitioner with regard to the passing of the award and payment of

the amount. Liberty is given to the petitioner to take appropriate proceedings seeking enhancement of the compensation, if he is so advised.

The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

23.03.2015

vs