

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No.35784 of 2015

BETWEEN

Madakam Siramayya.

... PETITIONER

AND

The Special Collector, Land Acquisition, Indira Sagar Project, Rajahmundry, East Godavari District and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 03.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers may be No
allowed to see the Judgments?
2. Whether the copies of judgment may be marked No
to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to see the No
fair copy of the Judgment?

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ORDER:

Petitioner herein has approached this Court seeking to object payment of compensation to the fourth respondent by contending that he is not the real owner but the petitioner is entitled to compensation.

2. It is evident from Ex.P1 filed by the petitioner himself that the third respondent has given notice to the petitioner in Roc.No.63/2013 LA dated 28.07.2015 calling upon both the petitioner and the fourth respondent to attend the enquiry on 18.08.2015 together with all the relevant documents. Petitioner states that he has already appeared and has submitted documents before the third respondent but so far no orders are passed. The present writ petition is, however, filed alleging that the third respondent is making an attempt to pay compensation to the fourth respondent in spite of petitioner's objection that the fourth respondent is not the real owner.

3. Heard learned Government Pleader.

4. I do not find any reason to entertain the apprehension of the petitioner, as the third respondent has given notice to the petitioner as well as the fourth respondent and they have, admittedly, appeared and submitted their respective claims. Unless the third respondent passes appropriate orders in pursuance of the enquiry conducted by him, there cannot be any payment of compensation either to the petitioner or to the fourth respondent.

The present writ petition, therefore, clearly appears to be based on an apprehension, which is clearly unfounded. The third respondent shall, however, examine the respective claims of the petitioner and the fourth respondent in the enquiry already conducted by him on 18.08.2015 and pass appropriate orders and then act accordingly.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

November 3, 2015

DSK