

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 21440 of 2015

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Date of Judgment: 15.7.2015

Between:

Yamana Gangadhara Rao

...Petitioner

And

The State of Andhra Pradesh and others

..Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 21440 of 2015

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ORDER:

Heard learned counsel for the parties.

The petitioner claims to be the owner of the land acquired. He, however, accepts that his name is not found either in the notification under Section 4 (1) of the Land Acquisition Act or in the notification under Section 6 of the said Act and the said notifications mention the name of 5th respondent as owner of the land acquired.

The petitioner states that he has already asserted his title claim, but in spite of that, the land acquisition authorities are not recognizing the ownership of the petitioner and they are likely to pay the compensation amount to the 5th respondent. Therefore, the petitioner seeks a direction not to pay the compensation amount to the 5th respondent.

I am unable to appreciate the contention of the petitioner as his name is admittedly not found in the notifications as above. However, if the petitioner claims title to the land acquired and seeks a claim over the compensation amount payable, he must approach the competent court for seeking a necessary declaration. The relief as sought for by the petitioner cannot therefore be granted either by the land acquisition authorities or by this Court under Article 226 of the Constitution of India.

Hence with the liberty as above, the writ petition is disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 15.7.2015
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