

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.29681 of 2010

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ORDER :

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the action of the Respondent – Land Acquisition Officer, contrary to his proceedings Rc.No.D/37/2008, dated 18-11-2010, in insisting to get the No Due Certificate from the Bhadrachalam Cooperative Society Bank for issuance of land acquisition compensation amount to the petitioner in respect of acquired lands of the petitioner to an extent of Ac.2.33 cents in Sy.No.36/2-A, to an extent of Ac.1.20 cents in Sy.No.41/4A and to an extent of Ac.1.15 cents of Gowridevipeta Village, Bhadrachalam Mandal, Khammam District, as illegal and arbitrary and consequently direct the respondent to pay the compensation amounts in question to the petitioner herein without depositing before the civil Court in accordance with the provisions of the Land Acquisition Act.

2. The brief facts of the case are as follows :

The Primary Agricultural Cooperative Credit Society, Bhadrachalam, along with another, filed the W.P. No.3357 of 2009 requesting to direct the respondent not to disburse the compensation amounts to the agricultural

loan borrowers of the society without producing the No Due Certificate from it. This Court passed an interim order dated 27-02-2009 in W.P.M.P. No.4354 of 2009 in W.P. No.3357 of 2009 directing the respondent not to disburse the compensation amounts without producing the No Due Certificate from the petitioners therein. When the petitioner herein insisted for payment of compensation, the respondent herein directed the petitioner to obtain a No Due Certificate from the Primary Agricultural Cooperative Credit Society, Bhadrachalam, in view of the interim order dated 27-02-2009 passed by this Court in W.P.M.P. No.4354 of 2009 in W.P. No.3357 of 2009. Aggrieved over the same, the present writ petition is filed.

3. When the matter is taken up for hearing today, it is brought to the notice of this Court that this Court disposed of the Writ Petition No. 3357 of 2009 in view of the submission made by the counsel for the petitioners therein that the petition became infructuous in view of the developments that had taken place subsequent to the filing of the writ petition.

4. If it is the case of the respondent that in view of the pendency of the Writ Petition No.3357 of 2009, he insisted for No Due Certificate, that Writ Petition has been dismissed as infructuous on 27-01-2012 itself. Hence, the respondent herein is directed to dispose of the

compensation amount to the petitioner, when there is no subsisting interim order by this Court not to dispose of the compensation amount in favour of the petitioner.

5. The Writ Petition is accordingly disposed of. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

09th March, 2015

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