

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.5108 OF 2015

ORDER:

The petitioner prays for Mandamus declaring the action of respondents in not implementing order dated 18.02.2013 in W.P.No.32748 of 2012 and paying compensation, as illegal, arbitrary and unconstitutional.

On 10.03.2015, notice was ordered to respondents and in response to notice, the learned Government Pleader places before the Court the written instructions from respondent No.5.

The written instructions read as follows:

“An extent of Ac.13.81 cents in Sy.No.147/1, 147/2 & 148 was acquired at Chowtapapayapalem of Rajupalem Mandal for provision of house site to the Project Displaced Families of Bodanam and Chityala submerged Villages under Pulichintala Project vide Award No.3/11, dated 28.04.2011. As the Awardees have not attend for Award enquiry, the award amount of Rs.49,71,600/- was deposited in the Hon'ble Principal Senior Civil Judge Court, Guntur vide PAO's cheque bearing No.329030, dt.28.5.2011.

This above amount includes the Rs.5,40,000/- for an extent of Ac.1.50 cents in Sy.No.147/1 pertaining to Sri Jonnala Srinivasareddy S/o.Venkatareddy.

Subsequently as per the orders of the Hon'ble High Court to pay Consent Award @ Rs.7 Lakhs per acre in W.P.No.32748/2012 dt.18.2.2013 to the Writ Petitioner, consent Award was passed @ Rs.7 Lakhs per acre to the Writ petitioner for Rs.13,51,875/- vide Consent Award No.01/2013, dated 8.4.2013. Accordingly an amount of Rs.8,11,875/- was paid to the Sri Jonnala Srinivasareddy S/o.Venkatareddy vide PAO's cheque bearing No.329059, dated 03.06.2013 as shown below:

Total Amount Awarded as per High Court orders	Rs.13,51,875/-
Amount deposited in the Principal Senior Civil Judge Court, Guntur	Rs.5,40,000/-
Balance amount paid to the individual	Rs.8,11,875/-

It is submitted that the amount of Rs.5,40,000/- has to be returned to the Writ Petitioner duly withdrawing from the Principal Senior Civil Judge Court, Guntur. Necessary action will be taken to withdraw the above amount from Principal Senior Civil Judge Court, Guntur and will be paid to the Writ Petitioner.

In view of the above, the Writ petition deserves no consideration. Hence, liable for dismissal.”

The facts are not in dispute and the obligation to pay the balance compensation is not in dispute. The respondents are directed to take appropriate steps for payment of balance amount of Rs.5,40,000/-(Rupees Five Lakhs Forty Thousand only) on or before 13.06.2015.

The writ petition is disposed of with the above direction. No order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

S.V.BHATT, J

Date:21.04.2015

Stp