

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.8298 of 2006

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus directing the respondents to pay compensation as per Land Acquisition Act to the petitioners whose lands are situated in Pothepalli Village, Bhimini Mandal, Adilabad District, which are getting submerged in the formation of the new tank across Yerravagu, Bhimini Mandal, Adilabad District and pay compensation on par with other claimants whose lands have already been notified in Form-I of the Land Acquisition Act, in Rc.No.B/2010/2003, dated 23.01.2006 on the file of the first respondent pertaining to Pothepalli and Kamalapur villages, Bhimini Mandal, Adilabad District, and consequently declare the action of the respondents in excluding the names of the petitioner from 4(1) Notification as bad in law and violative of provisions of the Land Acquisition Act and also further declare the inaction of the respondents in considering the objection petition dated 05.04.2006 by conducting survey and detailed enquiry under the Land Acquisition Act as violative of principles of natural justice.

Heard and perused the records.

The first respondent, Revenue Divisional Officer, Asifabad Division, Adilabad, has filed his counter affidavit way back in the year 2006 itself stating that the allegations of the petitioners are baseless. The relevant portion of the counter affidavit is extracted as follows.

“All necessary steps are being taken for payment of land compensation, trees and structures values considering all Pattas and assigned lands. As such, the allegations made by the petitioner is baseless and hence, denied.”

In view of the above counter averments of the first

respondent, this Court is of the view that there is no need to pass any further orders. However, the writ petition is disposed of with a direction to the respondents to pay compensation to the petitioners, if they are entitled, in accordance with law.

The writ petition is accordingly disposed of. There shall be no order as to costs. Consequently, the miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

01.05.2015
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