

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.35966 OF 2015

DATED:01-12-2015

Between:

Gadde Venkata Sambasiva Rao ... Petitioner

And

The State of A.P.,
Represented by its Principal Secretary
Revenue Department
Secretariat
Hyderabad
and others ... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. P. Anand Seshu

COUNSEL FOR RESPONDENT NOS.1, 2 and 5: A.G.P. for Revenue
(AP)

COUNSEL FOR RESPONDENT NOS.3 and 4: : Mr. M. Sivakumar,
for Mr. D. Ramesh,
Special Government Pleader

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed feeling aggrieved by endorsement in Roc. No.2/2015, dt.8.9.2015, of respondent No.4 whereby he has declined to decide the claim and counter claim of the petitioner and respondent No.6 for grant of compensation in respect of the land taken over under land pooling scheme for the purpose of construction of Capital for the State of Andhra Pradesh.

On 04.11.2015, this Court has adjourned the case at the request of the learned counsel for respondent Nos.3 and 4 to report whether respondent No.4 has followed the procedure prescribed under Rule 8 of the Andhra Pradesh Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015. Today, at the hearing, Mr. M. Sivakumar, learned counsel, representing Mr. D. Ramesh, learned Special Government Pleader, submitted that on reconsideration of the claim of the petitioner and respondent No.6, the same was adjudicated in favour of the latter on 12.11.2015. Mr. P. Anand Seshu, learned counsel for the petitioner, submitted that neither a notice was issued to his client nor an enquiry was held before adjudicating the claim.

From the pleadings of the petitioner, it is evident that the writ petition is filed with the grievance that respondent No.4, instead of deciding the case, has relegated the parties to Civil Court. However, on reconsideration of his view, respondent No.4 is stated to have decided the claim. If, in the process, respondent No.4 has not followed the due procedure, the petitioner is entitled to question the same by availing an appropriate remedy.

Therefore, respondent No.4 is directed to furnish a copy of the proceedings dt.12.11.2015 to the petitioner within one week from the date of receipt of this order. The petitioner shall be free to avail appropriate remedy, if he feels aggrieved by the same.

Subject to the liberty given to the petitioner as above, the writ

petition is dismissed as infructuous.

As a sequel to dismissal of the writ petition, W.P.M.P. No.46248 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

01-12-2015

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