

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.36713 OF 2015

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ORDER :

Heard learned counsel for the petitioners and the learned Government Pleader for Land Acquisition.

Petitioners are aggrieved by the inaction of the 2nd respondent in not making a reference under Section 30 of the Land Acquisition relating to House bearing No.2-15/1, situated at Gudatipalli Village, Husnabad Mandal, Karimnagar District..

Petitioners claim that the said property was acquired for submergence of flood flow canal of Gouravelli Reservoir and the aforesaid house was in the name of Baddam Yella Reddy, the grand father of the petitioners. It is alleged that after the death of the petitioners' father, when the 3rd respondent, who was his real brother, tried to take compensation by creating forged document, the petitioners being legal heirs of Baddam Narayana Reddy stated to have made a claim before the respondents and followed by a legal notice dated 20.06.2015 to the 2nd respondent seeking reference under Section 30 of the Act. Alleging that the 3rd respondent is likely to be paid the compensation, the present writ petition is filed.

Learned Government Pleader for Land Acquisition on instructions from the 2nd respondent stated that the compensation determined for the land has not been paid to anybody and the same is kept pending as the objection/legal notice is received from the petitioners. It is also stated that appropriate action will be taken in accordance with law. The petitioners' objections dated 28.05.2015 followed by the legal notice dated 20.06.2015 referred to above as already before the 2nd respondent, it is appropriate for the 2nd respondent to give notice to the petitioners as well as to the 3rd respondent and take a decision in the matter as to whether reference as sought for by the petitioners is required to be made and thereafter proceed to deal with the compensation amount in accordance with law.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

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

VILAS V.AFZULPURKAR, J

25.11.2015

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DATE: 25.11.2015

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