

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.No.16144 of 2007

ORDER:

This writ petition is filed seeking issuance of writ of *Mandamus* to direct the respondents to pay the determined compensation amount together with interest to the petitioners in respect of their acquired land as per the judgment and decree, dated 17.1.2001, in O.P.No.36 of 1996 on the file of the Senior civil Judge, Miryalaguda, as confirmed in the judgment, dated 16.10.2006, in A.S.No.2388 of 2001 on the file of this Court by declaring the action of the respondents in not paying the determined compensation to the petitioners as illegal and arbitrary.

2. The averments in the affidavit filed in support of the writ petition are as under:

Petitioner No.1 is the owner of Ac.0.31 guntas in Sy.No.178 and Ac.0.13 guntas in Sy.No.180 and petitioner No.2 is the owner of Ac.0.24 guntas in Sy.No.181 situated at Veerlapalem Village, Damercherla Mandal, Nalgonda District. The said land was acquired along with the lands of others under the Land Acquisition Act, 1894 (for short, "the Act") for formation of Command Area Development Authority (CADA) roads under Nagarjuna Sagar Project by issuing a Notification under Section 4(1) of the Act on 25.7.1992 and possession was taken on 10.2.1984. Respondent No.2 passed an Award under the Act. Thereafter, Reference Court (Senior Civil Judge's Court, Miryalaguda) enhanced the compensation in O.P.No.36 of 1996 on 17.1.2001 and the same was confirmed by this Court vide judgment, dated 16.10.2006, in A.S.No.2388 of 2001. The petitioners filed E.P.No.2 of 2002 on the file of the Senior Civil Judge's Court, Miryalaguda and attachment of movable property was also obtained. However, no amounts were paid to the petitioners. Hence, the present writ petition.

3. On 30.07.2007, this Court, while issuing Rule Nisi, directed the

respondents to deposit the compensation amount within a period of two months from that day.

4. Today, when the matter is taken up for hearing, learned Government Pleader for Land Acquisition placed on record the letter vide Lr.No.D/723/90 dated 19.9.2008, addressed by the Special Deputy Collector (LA), AMRP, Unit-I, Nalgonda to the Senior Civil Judge, Miryalaguda wherein it was mentioned that a sum of Rs.5,08,544/- was deposited in the Court of the Senior Civil Judge, Miryalaguda. In view of the above, nothing survives for adjudication in this writ petition and the same is liable to be closed.

5. Accordingly, the Writ Petition is closed. The petitioners are at liberty to withdraw the amount deposited before the Civil Court, if not already withdrawn. There shall be no order as to costs. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE C.PRAVEEN KUMAR

Date: 22.12.2015
AMD

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DATE: 22.12.2015

AMD