

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9085 OF 2005

DATED: 06.04.2015

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Between:

E. Desu and others

.. Petitioners

And

The State of A.P.,

Department of Revenue,

Rep. by its Principal Secretary,

Secretariat, Hyderabad, and another.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9085 of 2005

ORDER:

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The petitioners, eight in number, made a representation to the respondent authorities on 23.03.2004 claiming compensation and other benefits as per the Land Acquisition Act, 1894, for the lands acquired for the purpose of excavation of canals under the Sri Ram Sagar Project. Admittedly, the petitioners are assignees and they were sought to be paid ex-gratia only. This Court granted interim directions on 08.06.2005 whereby the respondent authorities were asked to consider and dispose of the petitioners' representation dated 23.03.2004 in accordance with law.

Sri P. Keshava Rao, learned counsel for the petitioners, is however unable to state as to whether the said representation has been disposed of.

In any event of the matter, the law laid down by this Court in **LAO-cum-RDO, Chevella Division, Domalaguda, Hyderabad v. Mekala Pandu** has attained finality as the Supreme Court has confirmed the same and pursuant thereto assignees would also be entitled to compensation and not just ex-gratia. The petitioners would therefore have to make a fresh representation to the respondent authorities bringing this aspect of the matter to their notice and the authorities would have to consider such representation in the light of the settled legal position as obtaining now.

The petitioners are accordingly permitted to make a representation afresh within two weeks from the date of receipt of a copy of this order and the respondent authorities are directed to consider the same in accordance with law, pass appropriate orders thereon and take necessary action within three months from the date of receipt of such representations.

The writ petition is disposed of with the afore-stated direction.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

The writ petition was filed against the erstwhile State of Andhra Pradesh, which now stands bifurcated in the light of the Andhra Pradesh Reorganisation Act, 2014, which came into effect from 02.06.2014. The description of the 1st respondent shall therefore stand corrected by virtue of Section 104 of the Andhra Pradesh Reorganisation Act, 2014, and shall read the State of Telangana represented by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.

JUSTICE SANJAY KUMAR

6th April, 2015

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