

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.28522 OF 2008

ORDER :

This writ petition is filed seeking writ of mandamus declaring the action of the respondents in not conducting any enquiry as illegal and arbitrary and consequently to direct the respondents to declare the petitioners as eligible beneficiaries as displaced families under R & R package of Thotapalli Barrage of Vizianagaram District.

Counter affidavit is filed by the 3rd respondent denying the averments in the affidavit filed in support of the writ petition. Along with the counter affidavit, the report of the enquiry conducted by the 3rd respondent in respect of each petitioner is also filed holding that the petitioners are ineligible for the benefit under the R & R Package and sought for dismissal of the writ petition.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue appearing for the respondents.

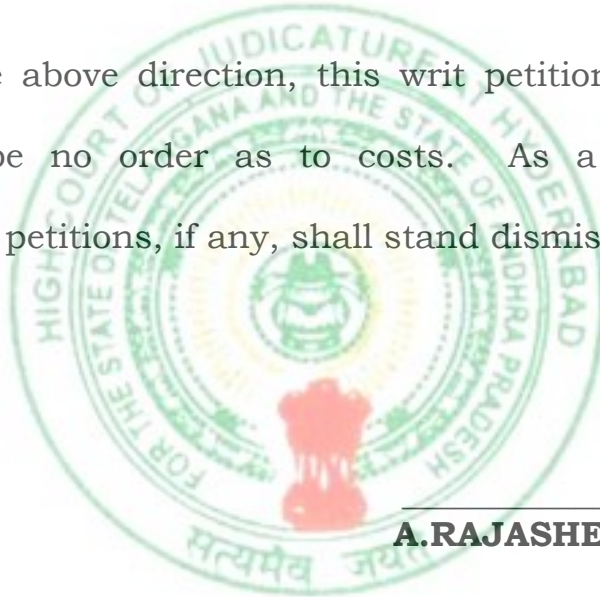
Learned counsel for the petitioners submits that though the petitioners have filed all the documents, they have not been given proper opportunity to pursue their case.

Learned Assistant Government Pleader for Revenue submits that if the petitioners files necessary proof and if they satisfy the conditions mentioned in the subject package, their cases will be considered.

A perusal of the proceedings dated 09.09.2009 wherein the petitioners were declared as ineligible for the package, does not show that petitioners were given opportunity, before passing the impugned proceedings.

In view of the same, it is open for the petitioners to make applications by filing all necessary documents before the 3rd respondent. On such applications, the 3rd respondent may consider the same and pass appropriate orders in terms of Policy on Resettlement and Rehabilitation for Project Affected Families, 2005.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand dismissed.



A.RAJASHEKER REDDY, J

27.12.2016
kvs

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