

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

MONDAY THE TWENTYSIXTH DAY OF SEPTEMBER, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32367 OF 2016

Between:

Sidda Adinarayana & Ors. ... Petitioners

V/s.

The State of Andhra Pradesh
Rep. by its Principal Secretary
Revenue [Land Acquisition] Department
AP Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioners: Sri KJV N PUNDAREEKAKSHUDU

Counsel for the Respondents: GP for Land Acquisition [AP]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32367 OF 2016

ORDER :

This writ petition is filed by the petitioners seeking mandamus to declare the action of the respondents 3 and 4 in passing award No. 09 of 2015 dated 04/4/2016 by the fourth respondent in respect of first petitioner's lands to an extent of Acs:4.375 in R.S.No. 69, Ac:0-41 cents in R.S.No. 71/3, Ac:0-74 cents in R.S.No.71/10 and Ac:0-01 cent in R.S.No. 89/1 and the land of the second petitioner to an extent of Acs:4-92 cents in R.S.No.79/1 and the lands of the third petitioner to an extent of 0.25.0 hectares R.S.No.75/4 and 1.10.0 hectares in R.S.No.88/4 and the lands of the fourth petitioner to an extent of Ac:2.18 cents in R.S.No.101/1 and Ac:1-48 cents in R.S.No.101/2, which are all situated in Devipatnam, [Bit-2] village, Devipatnam Mandal, East Godavari district, which all fell in submersion of Pollavaram Irrigation Project including considering the representations of the petitioners as illegal, arbitrary

and violative of the principles of natural justice as well as violative of the Land Acquisition Act 30 of 2013 and consequently to direct the fourth respondent to refer the irregular award No. 09 of 2015 dated 04/4/2016 to the Land Acquisition, Rehabilitation and Re-settlement Authority under section 64 of Act 30 of 2013 for determination of exact land acquisition compensation to the petitioners lands and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Vide the present writ petition, petitioners seek direction thereby directing the fourth respondent to refer irregular award No. 09 of 2015 dated 04/4/2016 to Land Acquisition , Rehabilitation and Re-settlement Authority under section 64 of Act 30 of 2013 for determination of exact land acquisition compensation to the petitioners lands.

3. Heard learned counsel for the petitioners and the learned Government Pleader for Land Acquisition [AP] takes notices on behalf of respondents 1 to 4.

4. As stated by the counsel for the petitioners that vide Award No. 09 of 2015 dated 04/4/2016 irregular award has been passed and the petitioners have already filed representation dated 10/6/2016 seeking to refer the same to the Land Acquisition, Rehabilitation and Resettlement Authority under section 64 of Act 30 of 2013 for determination of exact land acquisition compensation to the petitioners lands, however, till date it is not referred to the said authority.

5. Keeping in view, the averments made in the affidavit filed in support of the petition and submission of the counsel for the parties, I hereby direct the respondents 2 to 4 to refer the representation dated 10/6/2016 filed by the petitioners to the aforesaid authority within a period of two weeks from the date of receipt of a copy of this order.

6. In view of the above direction, the writ petition is disposed of at the admission stage. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT.



26/09/2016
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HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32367 OF 2016



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Court Master: I s L