

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21314 OF 2016

-

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in depriving the petitioner from her residential house bearing Door No.3-82, Main Road, Bodasakurrapalem, Allavaram Mandal, East Godavari District, without following the due process of law and not paying the compensation as illegal and arbitrary and for a consequential direction to the respondents to follow due process of law contemplated under the National Highways Act and pay adequate compensation for the residential building of the petitioner.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Land Acquisition appearing for the 3rd respondent produced written instructions stating that the Government of India issued Gazette Notification S.O.No.2190(E), dated 11.08.2015 under Section 3D of the National Highways Act vesting the notified lands to the Government and in that process the said notification was locally published in the offices of Tahasildar, Mandal Parishad Development Officer, Sub Registrar, Police Station, Gram Panchayat for awareness of the public; that after publication of the notification, under Section 3D of the National Highways Act, the competent authority issued public notice under Section 3-G(3) of the National Highways Act requiring the interested persons/land owners for filing their claims for payment of compensation to them; that the Government of India issued instructions for fixation of compensation according to the 1st schedule to the Land Acquisition Act, 2013 for the lands acquired

under NH Act, 1956 and accordingly the competent authority issued proceedings in Ref.NH 216/LA/24, dated 31.03.2016, determining the compensation for the lands acquired for NH-216 in Bodasakurru Village of Allavaram Mandal and that in response to the public notice issued under Section 3G of the NH Act, claims are being filed by the affected land owners. It is also stated that the petitioner herein also filed claim for payment of compensation and the petitioner has been issued notice along with other claimants to produce original documents for verification and that the compensation would be credited to the petitioner's bank account through RTGS/NEFT as per guidelines issued for payment of compensation, after verification of the original documents.

Heard Sri S.S.Varma, learned counsel appearing for the
1st respondent.

Recording the aforesaid submission of the learned Assistant Government Pleader for Land Acquisition, the writ petition is disposed of directing the respondents not to dispossess the petitioner from her residential house bearing Door No.3-82, Main Road, Bodasakurrapalem, Allavaram Mandal, East Godavari District, without following the due process of law. No order as to costs.

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

A.RAJASHEKER REDDY, J

22.07.2016
tk