

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

[Special Original Jurisdiction]

SATURDAY THE SEVENTEENTH DAY OF SEPTEMBER, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 31478 OF 2016

Between:

Sode Dharmaiah & Anr.

...

Petitioners

V/s.

The State of Andhra Pradesh
Rep. by its Prl. Secretary
Revenue [LA] Department
AP Secretariat, Hyderabad & Ors.

...

Respondents

Counsel for the Petitioners:

Sri KJVN Pundareekakshudu

Counsel for the Respondents:

GP for Land Acquisition for R1 to R4

The court made the following:

[order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAITWRIT PETITION NO. 31478 OF 2016ORDER :

This writ petition is filed by the petitioners seeking mandamus to declare the inaction of respondents 2 and 3 in considering the objection/claim dated 27/5/2016 of the petitioners by way of dissolving the claim of fifth respondent including non-payment of land acquisition compensation to the petitioners land in survey No. 14/2 to an extent of Ac: 2-98 cents of dry; survey No. 31/4 to an extent of Ac: 1-57 cents of dry; survey No. 63/1 to an extent of Ac: 2-38 cents of dry; survey No. 63/7 to an extent of Ac: 0-50 cents of dry and survey No. 89/2 to an extent of Ac: 3-10 cents of dry land situated at Narsingapeta village, Kunavaram Mandal, East Godavari district, Andhra Pradesh, which were fell in submergence of "Polavaram Irrigation Project", East Godavari district as illegal, arbitrary and violative of the principles of natural justice as well as violative of the Land Acquisition Act No. 30 of 2013 and consequently to direct the respondents 2 and 3 to consider the

representation dated 27/5/2016 of the petitioners and to issue land acquisition compensation to their respective lands published mistakenly in the name of fifth respondent and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned counsel for the petitioners and learned Government Pleader for respondents 1 to 4.

3. As stated in the affidavit filed in support of the petition that land acquisition compensation to the respective lands published mistakenly in the name of fifth respondent. Whereas the said fifth respondent has nothing to do with the lands of the petitioners.

4. Notice issued. Learned Government Pleader takes notice on behalf of respondent Nos. 1 to 4.

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 consider and dispose of the representation dated 27/5/2016 submitted by the petitioner and pass

appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. I hereby make it clear that the orders passed on the representation dated 27/5/2016 shall be communicated to the petitioners within one week thereafter. Consequently, till decision is taken on the representation of the petitioners, the compensation amount shall not be disbursed in favour of any third party including respondent No.5.

6. With 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.

17/09/2016
I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 31478 OF 2016



Date: 17/09/2016
Circulation No.
Court Master: I s L