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HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WP No.20735 of 2014

ORDER::

The petitioners, 200 in number, are land losers situated in Kothapadu village, Vontimitta mandal, YSR Kadapa District, having given their lands for foreshore submersion of Somasila Project nearly 25 years ago. Their case is that due to ignorance they could not seek reference under Section 18 of the Land Acquisition Act, (for short, 'the Act'), but some other land losers for the same project, sought reference under Section 18 of the Act and the same was considered in LAOP No.2616 of 1988 and batch and the reference Court has enhanced the compensation.

2. The grievance of the petitioners is that though they made applications under Section 28-A of the Act to consider re-determination of the compensation in terms of the judgment of the reference Court in LAOP No.2616 of 1988, as they are also similarly placed, and pay them enhanced compensation, on par with the claimants in LAOP No.2616 of 1988, the respondents did not move in the matter and no orders have been passed till date.

3. Counter affidavit is filed by the 3rd respondent stating that the claim of the petitioners could not be considered as the correct addresses and whereabouts of the petitioners are not known and as such their claim could not be considered under Section 28-A of the Act. It is further stated that if correct addresses and other particulars are furnished by the petitioners, appropriate orders would be passed after conducting enquiry as contemplated under the Act.

4. Learned counsel for the petitioners submitted that the addresses of the petitioners is the same as mentioned in the

cause title of the writ petition and the 3rd respondent can issue notices to the said addresses mentioned in the cause title of the writ petition.

5. In the circumstances, the writ petition is disposed of directing the competent authority to dispose of the application said to have been made by the petitioners on 26-03-1999 under Section 28-A of the Act after putting them on notice and pass orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. The respondents shall take necessary steps for payment of the enhanced compensation to the petitioners, as fixed by them, within period of two months thereafter. Miscellaneous petitions, if any pending in this case shall also stand disposed of. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

Dated: 13-04-2016
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