

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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W.P. No. 25577 of 2016

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DATE: 12.08.2016

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Between:

S. Bhagyamma

.. Petitioner

And

The State of Andhra Pradesh
and five others

.. Respondents

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ORDER:-

The claim of the petitioner – S.Bhagyamma is that she has been in continuous possession and enjoyment of an extent of Ac.5.00 cents of land in Sy.No.466/5 situated in Gani village, Gadivemula Mandal, Kurnool District since 1979 as the land was assigned in her favour by the Government. Subsequently, the petitioner's name was mutated in the revenue records and pattadar passbooks and title deeds were also issued in her favour in respect of the land in question. While so, it is stated that the 2nd respondent – District Collector issued Notification dated 04.03.2015 and subsequently Form 6-A Declaration dated 11.12.2015 proposing to acquire the petitioner's land for public purpose for construction of Ultra Mega Solar Power Project. However, in the Declaration, the extent and survey number of the petitioner's land are wrongly shown as Ac.3.40 cents in Sy.No.466/6 instead of showing her actual extent of land and survey number as Ac.5.00 cents in Sy.No.466/5. Therefore, the petitioner made representation dated 22.06.2016 requesting the 2nd respondent to declare the petitioner as owner for the

extent of Ac.5.00 cents of land in Sy.No.466/5 and pay suitable compensation.

Now, the petitioner's grievance is that even though the petitioner made representation on 22.06.2016, so far, the 2nd respondent has neither considered her representation nor paid compensation. Hence, the present writ petition is filed seeking appropriate directions.

The learned Government Pleader for Revenue appearing for respondent Nos.1 to 5 has pointed out that signature of the petitioner is not found on the representation dated 22.06.2016 and submitted that if the petitioner makes fresh representation seeking the same relief, the same will be considered within the time that may be stipulated by this Court.

Keeping in view the averments made in the writ affidavit and the submission made by the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition with the following direction:

"The petitioner is at liberty to file a fresh representation to the 2nd respondent –District Collector, Kurnool District for redressal of her grievance within one week from today. On such representation being filed, the 2nd respondent shall consider the same and pass appropriate orders thereon, in accordance with law, within a period of four weeks thereafter and communicate the decision that may be taken on the representation to the petitioner within one week from the date of passing the order. Till then, compensation amount shall not be disbursed in anybody's favour including the 6th respondent in respect of an extent of Ac.05.00 cents of land in Sy.No.466/5 situated in Gani village, Gadivemula Mandal, Kurnool District. It is made clear that if the petitioner is still aggrieved by the action or inaction of

the official respondents, she may approach appropriate forum.”

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

12.08.2016

bcj