

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.34189 OF 2012

ORDER:

No representation for the petitioner.

Heard counsel for respondents.

The petitioner prays for the following relief:

“..to issue a writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of 3rd Respondent in seeking to pass Award in respect of lands bearing Sy Nos. 8/3 and 56/3 situated at Ambapuram Village, Vijayawada Rural Mandal, Krishna District, without considering the representation dt 6.4.2012 of the petitioner and without providing any opportunity of hearing to the petitioner before passing the Award, as illegal, arbitrary, without jurisdiction, violative of principles of natural justice and violative of Art. 300-A of Constitution of India and to consequently direct the third respondent to hear the petitioner and consider her claim in respect of the above lands, before passing the Award..”.

On 02.11.2012, this Court issued the following interim direction:

“Respondents are directed to consider the representation of the petitioner and her claim for compensation for the lands acquired in Sy.Nos.8/3 and 56/3 situated at Ambapuram village, Vijayawada Rural Mandal, Krishna District. However, it is made clear that the issue whether the petitioner is a co-sharer is to be considered independently based on the documentary evidence to be produced before the competent authority.”

The Assistant Government Pleader, Land Acquisition, places on record the instructions received from the Sub-Collector, Vijayawada dated 17.08.2016. The operative portion of the instructions reads thus:

“ In her application, the petitioner stated that the lands in RS No.8/3 and 56/3 which are covered under

acquisition for NH-5 are joint family properties and she is one of the share holder. For partition and separate possession in respect of all the joint family properties including the lands under acquisition, she filed a suit in O.S.No.141/2011 on the file of II Addl. District Judge: Vijayawada, seeking partition and separate possession of her due share. And it is still pending in the court. She requested until finalization of the O.S.No.141/2011, not to disburse the amount of compensation to any one.

Considering all the facts filed by the petitioner the compensation amount for the subject land has not been disbursed to anyone and is kept in the joint account of Project Director, NHAI, PIU, Vijayawada and CALA i.e. Competent Authority for Land Acquisition/Sub Collector, Vijayawada.”

From the above, it is clear that the interim direction has been complied with and the grievance of petitioner in the writ petition is also substantially worked out.

The writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V. BHATT, J

Date:18.08.2016

Stp