

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE  
AND  
THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.38502 of 2015**

**Dt:14.07.2016**

Between:

Y.Venkateswara Rao and others.

... Petitioners

And

The State of Andhra Pradesh and others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE  
AND  
THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.38502 of 2015**

**PC:** (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

The petitioners in this writ petition seek the following relief:

“For the reasons stated in the accompanying affidavit, the petitioners herein respectfully pray that this Hon'ble Court may be pleased to issue writ or proceeding one in nature writ of mandamus declare the action of the respondents in not paying the compensation to the petitioners on par with the petitioners in W.P.No.27352 of 2007 and batch under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as illegal, arbitrary and consequently direct the respondents to pay the compensation to the petitioners on par with the petitioners in W.P.No.27352 of 2007 and batch as agreed by the respondents dated 07.07.2015 by deducting the compensation already paid and pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It is not in dispute that the petitioners' lands were acquired and consent award was passed in 2007 and possession of the lands was also taken in July, 2007 itself. This petition is filed in 2015 for the above relief.

Learned counsel for the petitioners submits that the petitioners in W.P.No.27352 of 2007 were paid compensation 3-4 times more than what was paid to the petitioners by way of consent award and since the lands of the petitioners herein were also acquired at the

same time, they are entitled for enhancement of compensation.

We are rejecting the submissions made by learned counsel for the petitioners on two grounds. Firstly, once having consented for the award and surrendered the lands and received compensation as per the consent award, it is not open for the petitioners to turn around and challenge the same at such belated stage, and that too without making any allegations of fraud or misrepresentation, and secondly, the lands involved in W.P.No.27352 of 2007 are more than 75 k.ms. away from the lands of the petitioners, and therefore, they cannot seek any parity.

In the circumstances, we find no merit in the writ petition. Writ petition is dismissed.

Consequently, miscellaneous petitions, if any, also stand disposed of.

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**DILIP B. BHOSALE, ACJ**

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**P.NAVEEN RAO,J**

Dt:14.07.2016

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