

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

WEDNESDAY, THE TWENTY SECOND DAY OF JULY,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WP .NO: 22632 of 2015

Between:

Bogam Balaiah, S/o. Late Subbaiah,
Occ. Cultivation, R/o. Kalanutala Village,
Peddaravedu Mandal, Prakasam District.

..... Petitioner

AND

- 1 The State of Andhra Pradesh, Rep by its Principal Secretary, Land Acquisition Department, Secretariat, Hyderabad.
- 2 The Special Collector, Pola Subbaiah ,Velugonda Project (R& R), District Collector Office Premises, Ongole, Prakasam District.
- 3 The Special Deputy Collector, Pola Subbaiah, Velugonda Project (R& R), Near Railway Station, Markapur Town, Prakasam District.
- 4 Chekuri Easwaramma, W/o Venkata Subbaiah, Kalanutala Village, Pedaravedu Mandal, Prakasam District, Pin Code- 523329.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ or order or Direction in the nature of Writ of Mandamus declaring the action of the respondents 1 to 3 ignoring the representation dated 10-7-2015 of the petitioner and making attempts paying the compensation through cheque to the 4th Respondent in view of the land of Ac. 2.43 cents in Sy.No.136 of Kalanutula Village as the said land of the petitioner is submerged in Pola Venkata Subbaiah Project, is illegal and arbitrary and consequently direct the respondents 1 to 3 to pay the compensation to the petitioner with regard to the land of the petitioners.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Naram Nageswara Rao, Advocate for the Petitioner and GP for Land Acquisition (AP) for Respondent Nos.1 to 3, the Court made the following

ORDER:

Petitioner objects to the payment of compensation to R4 on the ground that he is the actual owner of the land, which is acquired. Petitioner, therefore, has made a representation to respondents 2 and 3 dated 10.07.2015 by Registered Post Acknowledgement Due. Petitioner also relies upon the order passed in similar WP.No.20860 of 2015 vide orders dated 08.07.2015 in WPMP.No.26849 of 2015 directing the respondent authorities to take into consideration the petitioner's claim

before disbursing the compensation amount relating to the said land.

In the present case, GP has received instructions and states that the petitioner's representation was received on 14.07.2015 without any signature and it is stated that since the Land Acquisition Officer is on Pushkaram duty, the said representation was not responded to.

List this writ petition along with WP.No.20860 of 2015 for counter after four (4) weeks.

In the meanwhile, petitioner is permitted to submit duly signed representation once again to respondents 2 and 3 so that the said representation along with the earlier representation can be considered by respondents 2 and 3, as directed in WP.No.20860 of 2015.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Land Acquisition Department, State of Andhra Pradesh, Secretariat, Hyderabad.
- 2 The Special Collector, Pola Subbaiah, Velugonda Project (R& R), District Collector Office Premises, Ongole, Prakasam District.
- 3 The Special Deputy Collector, Pola Subbaiah, Velugonda Project (R& R), Near Railway Station, Markapur Town, Prakasam District.
- 4 Chekuri Easwaramma, W/o Venkata Subbaiah, Kalanutala Village, Pedaravedu Mandal, Prakasam District, Pin Code- 523329.
(Addressees 1 to 4 BY RPAD)
- 5 One CC to Sri Naram Nageswara Rao, Advocate (OPUC)
- 6 Two CCs to the G.P. for Land Acquisition (AP), High Court, Hyderabad.
(OUT)
- 7 One spare copy.

nnr

HIGH COURT

VVA,J

DATED: 22-7-2015

**NOTE: List along with
WP No.20860 of 2015 for counter,
after four weeks**

ORDER

W.P.NO. 22632 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 24-07-2015

VVA,J

DATED: 22-7-2015

**NOTE: List along with
WP No.20860 of 2015 for counter,
after four weeks**

ORDER

W.P.NO. 22632 OF 2015

DIRECTION