

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37036 of 2016

ORDER:

Heard Sri N.Harinath for petitioners and Standing Counsel for 2nd respondent.

The petitioners pray for Mandamus declaring the unilateral action of respondents 2 to 4 in not determining compensation payable to petitioners for the land sought to be acquired together with 300 teak trees in Sy.Nos.389/A2, 389/A2/2 and 389/E of Thallacheruvu Village, Thirumalayapalam Mandal, Khammam District, as illegal, arbitrary and violative of principles of natural justice.

On 31-10-2016, at request of 2nd respondent, the writ petition is adjourned to today.

Learned Standing Counsel for 2nd respondent, on instructions, submits that the field of petitioners is inspected by the officers of Forest Department, report is awaited and on receipt of report, the compensation payable to petitioners for acquiring the land as well as trees would be determined, award is passed and thereafter possession is taken. In other words, unless and until the procedure contemplated by law is followed the allegation of petitioners will have to be treated as an apprehension.

This court is not proposing to examine the last portion of objection of 2nd respondent.

The writ petition is disposed of by accepting the statement made by 2nd respondent and accordingly the possession and enjoyment shall not be disturbed unless award is passed for land and trees acquired in Sy.Nos.389/A2, 389/A2/2 and 389/E of Thallacheruvu Village, Thirumalayapalam Mandal, Khammam District and compensation is paid to petitioners. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 04-11-2016
Prv

S. V. BHATT, J



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Prv

