

THE HONB'E SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.20095 OF 2012

ORDER:

The petitioner, which comprises persons whose lands and structures were acquired due to submergence under Priyadarshini Jurala Project, filed the present Writ Petition seeking implementation of G.O.Ms.No.68, Irrigation & CAD (Project Wing-LA IV-R&R) Department, dated 8-4-2005.

At the hearing, the learned Government Pleader for Land Acquisition, on instructions, submitted that the structures belonging to the members of the petitioner-Association were acquired under the notification issued under Section 4(1) of the Land Acquisition Act, 1894 (for short "the Act") on 6-8-2009 and declaration issued under Section 6 of the Act on 27-9-2009; and that, as such, the members of the petitioner are covered by the said G.O. The learned Assistant Government Pleader, however, stated that resettlement and rehabilitation scheme under the said G.O., is not automatic and the criteria laid down therein shall be applied for complying the said scheme.

Having regard to the fact that the acquisition of the structures has taken place subsequent to the issuance of G.O.Ms.No.68, dated 8-4-2005, the members of the petitioner-Association are entitled to be considered for the benefits under the said G.O., if they satisfy the criteria laid down therein. Accordingly, the respondents are directed to consider the claim of the petitioner-Association for implementation of the scheme under G.O.Ms.No.68,

dated 8-4-2005, to its members and take a decision in terms thereof, subject to the eligibility criteria within a period of two months from the date of receipt of copy of this order.

Subject to the above direction, the Writ Petition is disposed of.
No order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM,J

Date:20.09.2016,
Gk.



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