

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

[Special Original Jurisdiction]

TUESDAY THE SIXTEENTH DAY OF AUGUST, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 27221 OF 2016

Between:

Pedaballi Krishnamma ... Petitioner

V/s.

The State of Andhra Pradesh
Rep. by Principal Secretary
Department of Revenue,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri N. Chandrasekhar Reddy

Counsel for the Respondents: Govt. Pleader for Land
Acquisition

[AP]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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WRIT PETITION NO. 27221 OF 2016

ORDER :

In the year 2009, the respondents 2 and 3 had initiated land acquisition proceedings for acquiring lands to an extent of Acs: 28-43 cents for construction of summer storage tank and its feeding channel in the village limits of Ankisettypally, as such agriculture lands situated at Ankisettypalli village, Madanapally Mandal, Chittoor district through notification dated 24/02/2009 which includes agricultural land of the petitioner admeasuring an extent of Ac: 0-62 cents situated in survey No. 8/5.

2. Though vide letter dated 8/11/2013 the third respondent had requested the fourth respondent to furnish genuineness certificate for paying ex-gratia. However, under similar circumstances under notification dated 24/2/2009, 31/8/2009 and 31/3/2015 an extent of Ac:1-21 cents belonging to second respondent has been acquired by respondents 2 to 4 for construction of summer storage tank. The third respondent, who

has been conferred power to perform functions of competent authority [Land Acquisition] under the Land Acquisition Act, 1894 had initiated process for paying compensation to farmers whose lands were acquired by the officials concerned.

3. Though process has been initiated six years back, however, till now the petitioner has not received ex-gratia from the respondents with respect to his land. In similar way, the second respondent has also not received compensation from the officials concerned with respect to his land admeasuring Ac: 1-21 cents though land in issue have been acquired and taken into possession by the concerned authorities.

4. For the aforesaid relief, the petitioner made representation dated 11/7/2016 to Sub-Collector and Special Deputy Collector [Land Acquisition] HNSS Project Unit-1, Madanapalli, however till date there is no response from the other side.

3. The award was passed in 2011 for an amount of Rs.14,50,000/- however till date the petitioner has not received even any single penny of the same.

4. In view of the averments made in the said petition and

submission of the counsel for the petitioner, I hereby direct the respondent No.3 to decide the representation dated 11/7/2016 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The decision taken by the third respondent shall be communicated to the petitioner in writing within one week thereafter.

5. In view of the above direction, the writ petition is disposed of. No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT.

16/08/2016
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HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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