

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22053 OF 2016

ORDER:

The case of the petitioner is that his father late Gandaiah is having seven children including him and the 6th respondent and his father is having lands in Survey no.264/10 to an extent of Ac.04.13 guntas at Kurmidda Revenue Village of Yacharam Mandal. As the properties were acquired by his father during his life time all the male children have cultivated the said land until the death of petitioner's father. After death of the petitioner's father the name of the 6th respondent who is the elder brother in the family, was entered in the revenue records even though the subject land pertain to the joint family and all the members of the family are having equal rights. As such, the petitioner along with other brothers filed OS.No.31 of 2016 and the same is pending. While so, the 3rd respondent published a notification under Land Acquisition Act, stating that the Revenue Department is going to acquire subject lands. As such, the petitioner made objection letters to respondents 2 to 5 on 28.12.2015 and 02.05.2016 along with plaint copy requesting not to disburse the compensation to the 6th respondent alone, as all the members of his family are having equal rights in the said property. But, without considering the same, the respondents 2 to 5 are trying to disburse the compensation amount to the 6th respondent. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and Learned Assistant Government Pleader for Revenue.

Since the petitioner has already filed OS.No.31 of 2016 and has intimated the same to respondents 2 to 5 on 28.12.2015, it is for respondents 2 to 5 to consider the objections of the petitioner and pass orders on the same before disbursing the compensation amount. It is also open for the petitioner to make necessary application in the suit filed by him and obtain interim orders.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

13.07.2016
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A.RAJASHEKER REDDY, J