

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22711 of 2016

ORDER:

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This writ petition is filed to declare the action of the 2nd respondent with regard to seeking to distribute the compensation payable in pursuant to Land Acquisition Notification dated 04-03-2015 issued in respect of schedule property of the petitioners in Sy.No.814 in an extent of Ac.01-11 cents, Ac.0-69 cents, Ac.0-68 cents and Ac.0-68 cents respectively situated at Gani Village, Gadivemula Mandal, Kurnool District issued by the 2nd respondent without referring to the authority as required under Section 77(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as illegal and arbitrary.

The case of the petitioners is that they are owners and possessors of the schedule property situated in Sy.No.814 and they have been issued pattadar passbooks and title deeds to the same. The 2nd respondent-District Collector, Kurnool has issued a notification under Section 11 (1) of the (New Act) Land Acquisition Act, 1894, which has come into effect from 01-01-2014 seeking to acquire the schedule properties situated in Sy.No.814 by issuing Section-11 notification (analogous to Section-4(1) notification under the old act) and their names have been mentioned at Sl. Nos 208, 209, 210 and 211 and whereas,

private respondent name has been mentioned as Sl.No.212. It is further case of the petitioners that the private respondent is the owner of an extent of Ac.3-50 cents in Sy.No.814 of Gani Village, Gadivemula Mandal, Kurnool District and the respective extent has been mentioned under Section-11 (1) notification of the Act. The 2nd respondent has issued a notice dated 20-05-2016 directing the petitioners and 4th respondent to submit necessary documents in proof of title. The petitioners have submitted the same but no further action is taken. As such, the writ petition is filed.

Learned counsel for the petitioners submits that without considering the documents filed by the petitioner, the 2nd respondent is trying to distribute the compensation in respect of entire Sy.No.814.

Heard Learned Assistant Government Pleader for Revenue.

Since it is stated that the petitioners have already submitted documents in pursuance to the notice dated 20-05-2016, it is for the 2nd respondent to consider the same along with objections of others and pass appropriate orders in accordance with law before distributing any compensation. When the award is passed, the respondents are bound to communicate the same to land owners.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition,

miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

18-07-2016
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