

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37946 of 2016

ORDER:

The petitioners pray for the following relief :-

“..... to issue a writ, an order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents herein in notifying Respondents Nos. 6 to 18 as the Patteddars of the lands situated in Survey No. 93,100,145,146,157,158 admeasuring total extent of Ac's. 14.05 guntas situated at Kivvaka Village, Kukkunoor Mandal, West Godavari District now under acquisition for the purpose of Polavaram Irrigation Project in the place of Petitioners herein, as being illegal, arbitrary, unconstitutional, colourable exercise of power and violative of Articles 14, 19, 21 & 300 A of the Constitution of India. Apart from in violation of The A.P. Assigned Lands (Prevention of transfer Act 1979) and consequently to set aside the same and further to direct the respondents to mutate the petitioners name as pattadars in respect of the subject lands ...”

The Assistant Government Pleader (Land Acquisition) places on record written instructions dated 31-10-2016 received from 6th respondent. The operative portion of the written instructions reads thus :-

“However, it is open to the writ petitioners to attend to the Award Enquiry scheduled to be held on 05-11-2016 with supporting documents to substantiate their claim with respect to Survey Nos. 93, 100, 145, 146, 157, 158. If the dispute is not resolved at the time of Award Enquiry the matter will be referred to Disputes

Committee, duly stopping payment to any other parties including the respondent Nos.7 to 19.”

Learned Assistant Government Pleader, basing on the written instructions, dated 31-10-2016, submits that the 6th respondent is prepared to look at the objection of petitioners, at this juncture in the enquiry scheduled to be held on 05-11-2016 and if the petitioners satisfy the authority, appropriate orders will be passed otherwise, the next step as provided under Act 30 of 2013 will be taken recourse to.

The statement is placed on record.

The petitioners are given liberty to appear in the enquiry with all documents scheduled to be held on 05-11-2016 along with a copy of this order and the 6th respondent is directed to consider the objections and documents of petitioners and take a decision in accordance with law, as circumstances warrant in this behalf.

The writ petition is disposed of accordingly. No order as to costs.

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

S. V. BHATT, J

Dt: 04-11-2016

Note:

Issue C.C. by evening
(B/o)
Prv

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04-11-2016

Prv

