

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 4413 OF 2016

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader. With the consent of both the parties, the Writ Petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking issuance of *Mandamus* declaring the action of respondents in not considering the application filed by the petitioner on 05.10.2015, as illegal and arbitrary and contrary to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 (for short, 'the Act of 2013').

The averments in the affidavit filed in support of the Writ Petition would show that the second respondent issued notification under Section 11(1) of Act 30 of 2013 acquiring the lands situated at I Ragappagudem for the purpose of formation of Poganda Reservoir project. The petitioner is said to have raised objection before the third respondent on 05.10.2015. During the course of enquiry under Section 15 of the Act of 2013, some third parties claimed interest over the land. Thereafter, the third respondent is said to have furnished declaration in Form VII which was published in the gazette on 13.12.2015. It is stated that the respondents are proceeding further without considering the objections raised

by the petitioner before the third respondent.

In similar circumstances, this Court in W.P.No.42757 of 2015, directed the third respondent therein to consider the objections raised at the time of passing of the order in pursuance of the notice issued therein.

In view of the orders passed by this Court earlier, having regard to the above circumstances and since the objections raised by the petitioner are pending, the Land Acquisition officer/RDO, Jangareddygudem, West Godavari District, shall consider the same at the time of passing of the award in pursuance of the notice referred to above.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, the Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

11.02.2016

vhb