

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.29115 of 2012

ORDER

This writ petition was filed challenging the proceedings dated 6.7.2012 issued by the 3rd respondent rejecting the request of the petitioners for payment of compensation for the structures raised in their lands situated in Sy.Nos.223/1, 224 and 228 of Burepally Village.

The petitioners state that the land and structures situated in the above village were acquired by the Government for construction of Kandula Obul Reddy Project (Gundlakamma Project). They were given re-settlement and re-habilitation package and provided house sites at Burepally Village.

When compensation was not paid for the structures, the petitioners submitted a representation to the District Collector, Prakasam District, but, no action was taken thereon. Hence, they filed W.P.No.20514 of 2011 seeking payment of compensation for the structures. The said writ petition was disposed of on 2.2.2012 with a direction to the 1st respondent to pass appropriate orders on the representation submitted by the petitioners. Pursuant to the same, an order dated 6.7.2012 was passed by the Special Deputy Collector (Land Acquisition), P.S.Veligonda Project, Ongole, rejecting the request of the petitioners for payment of compensation for new structures stating that in respect of old

structures compensation was already paid and compensation cannot be paid in respect of new structures.

Learned counsel appearing for the petitioner submits that in identical circumstances arising out of the same notification, this Court elaborately considered the contention of rival parties in W.P.No31524 of 2010 and disposed of the same on 13.12.2013 with the following directions:

“For the above said reasons, this writ petition is disposed of, directing the respondent authorities to take appropriate action for completion of proceedings under the Land Acquisition Act for passing of award, pursuant to the notification issued under Section 4 (1) of the Act dated 15.12.2007 and declaration issued under Section 6 of the Act dated 19.12.2008, within a period of four months from the date of receipt of a copy of this order after giving notice to all the land owners and it is open for all the respondent authorities to place the material before the Land Acquisition Officer for the purpose of arriving at just and reasonable conclusion. The respondent authorities would place the entire material before the Land Acquisition Officer including the acquittance register for the relevant period.”

Learned Government Pleader does not dispute application of the said order to the facts of the present case.

In view of the same, this writ petition is disposed of in term of the above order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

21st December, 2016
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