

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.24864 of 1999

ORDER:

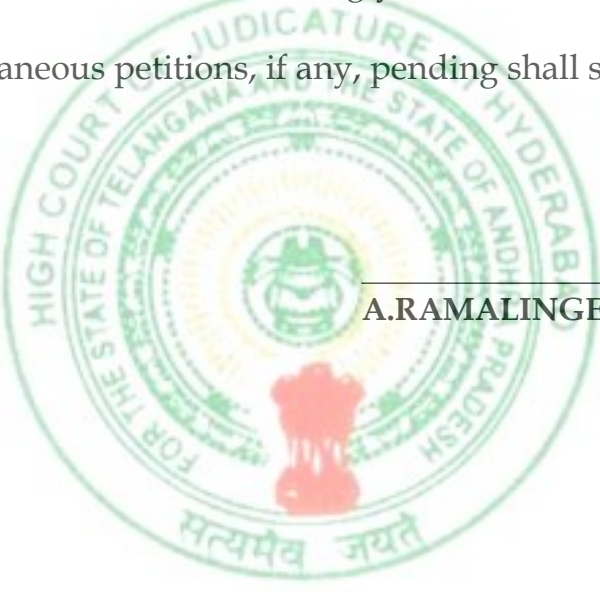
1. The petitioners claim that they are the land owners in Sy.No.312/2-I Part of Kosinepalli village, Muddunuru Mandal, Cuddapah District. They have 68 cents of land each. Their land was acquired for the purpose of laying railway line from Muddanuru R.S. to R.T.P.P. The land acquisition proceedings were initiated and compensation was paid to the petitioners by proceedings of the Revenue Divisional Officer, Jammalamadugu, dated 26.05.1994. Thus, they lost the land and come under the category of land losers and entitled to the benefits envisaged under G.O.Ms.No.98, Irrigation (Project Wing) Department dated 15.04.1986. When the Estate Officer, Andhra Pradesh State Electricity Board, Hyderabad, addressed a letter on 30.09.1994 to the Mandal Revenue Officer, Muddanur, to examine their eligibility, the revenue officials vide letter dated 19.10.1994 certified that the petitioners have no other land after acquisition. Their names were shown at Serial Nos.13, 14 and 15. When the respondents rejected the claim of the petitioners by proceedings dated 11.08.1999 on the ground that the Government of Andhra Pradesh by its letter dated 03.04.1998 rejected the proposals submitted for providing appointment to all the dependents of land losers, the present writ petition was filed.

2. A counter-affidavit was filed by the respondents. It is stated that the petitioners submitted the prescribed proforma, attested by the Village Administrative Officer and Mandal Revenue Officer, Muddanur, stating that they are having Ac.0.90 cents of land in Sy.No.312/1 of Kosinepalli village and out of the said land, only Ac.0.68 cents of land was taken over by the erstwhile APSEB for the purpose of construction of railway track from Muddanur to RTPP. The petitioners did not lose their total land for the purpose of construction of railway track. As per the guidelines issued in Memo dated 04.01.1992 of APSEB, the cases of land owners, who lost Ac.0.50 to Ac.1.00 of land, will be considered for providing employment to their children, provided they lost 100% of their holdings. In view of the same, the case of the petitioners was not considered since they lost only a part of their land i.e., Ac.0.68 cents out of their total holdings. The Revenue Divisional Officer, Jammalamadugu, submitted a list of total land losers of 46 persons to the District Collector, Cuddapah on 20.11.1997 to issue clearance certificates to the eligible candidates. The names of the petitioners did not find place in the said list.

3. Additional counter-affidavit was filed by the 1st respondent stating that the names of 46 persons were got verified and out of the same, 37 persons were found to be eligible and their cases alone was considered.

4. It is clear from the above facts that the erstwhile APSEB acquired an extent of Ac.0.68 cents out of total extent of Ac.0.90 cents held by the three petitioners put together. In respect of the land losers affected by the acquisition, 46 names were identified, but after verification only 37 persons were found to be eligible for consideration of their cases. The names of the petitioners did not find place in the said list. In view of the same, no relief can be granted to the petitioner.

5. The Writ Petition is accordingly dismissed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.



A.RAMALINGESWARA RAO, J

11-11-2016
Gsn