

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

W.P. No. 34410 of 2016

DATE: 13.10.2016

Between:

Surapaneni Venkaiah

.. Petitioner

And

The State of Andhra Pradesh
and eight others

.. Respondents



ORDER:-

This writ petition is filed for the following substantive relief:

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent Nos.2 to 5 in recording the names of respondent Nos.6 to 9 as possessors in an extent of Ac.1.80 cents in Sy.No.228/ 3 and an extent of Ac.0.18 cents in Sy.No.227/ 4 situated in Damavaram village, Dagadarthi Mandal, SPSR Nellore District, without any documentary proof and paying the benefits accruing under Land Acquisition Act to them without any right and without considering the objections of the petitioner under the provisions of Sections 51 and 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) as illegal, arbitrary and in violation of principles of natural justice and consequently direct respondent Nos.2 to 5 not to grant any compensation to respondent Nos.6 to 9 relating to the lands belonging to the petitioner.”

When the matter is taken up for hearing, the learned counsel for the petitioner has sought permission of this Court to withdraw the writ petition with liberty to make a fresh representation to the official respondents for the relief sought for in this writ petition.

Permission is accorded.

Hence, the writ petition is dismissed as having been withdrawn granting liberty as prayed for. The petitioner shall file fresh representation within one week and the official respondents are directed to consider the same and take decision in accordance with law, within a period of four weeks

from the date of representation that may be filed by the petitioner. On taking decision, respondent Nos.1 to 5 shall intimate the same to the petitioner within one week thereafter. If the petitioner is still aggrieved by the decision, he may approach the appropriate forum. It is made clear that till decision is taken by respondent Nos.1 to 5, compensation shall not be released in favour of respondent Nos.6 to 9 or any other party. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

13.10.2016

bcj

SURESH KUMAR KAIT, J

