

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.15097 OF 2015 AND CONTEMPT CASE NO.1484 OF 2015

COMMON ORDER:

Writ Petition and Contempt Case are being disposed of by way of this common order.

2. Writ Petition was filed challenging the action of the respondents in proposing to lay a road from Pandurangapuram village to Narasampeta village in the middle of the petitioners' land situated in Pandurangapuram village, Paloncha Mandal, Khammam District without issuing any Land Acquisition proceedings.

3. This Court on 28-05-2015 while admitting the writ petition directed the respondents not to interfere with the possession of the property of the petitioners or lay the road through their property. It was alleged that in spite of the said order, there was an encroachment by the respondents and therefore, Contempt Case No.1484 of 2015 was filed.

4. In the Contempt Case, this Court directed the 3rd respondent, Tahsildar, Paloncha to inspect the area, measure the land of the petitioners and the road laid or proposed to be laid by the respondents 6 and 7 with the assistance of the Mandal Surveyor after issuing notice to the petitioners as well as to the respondents 6 and 7 and submit a report. Accordingly, the 3rd respondent submitted a report, dated 04-04-2016 along with a memo, which shows that the land of the 6th petitioner was affected due to digging of the trench in an extent of 286 sq. mtrs. and the respondents undertake to compensate the 6th petitioner by initiating Land Acquisition proceedings. The report of the 3rd respondent-Tahsildar is not disputed by the petitioner.

5. Learned counsel appearing for the petitioner submits that the respondents are trying to encroach the land of the other petitioners also.

6. In the circumstances, in view of the clear report of the Tahsildar, Paloncha, stating that the land of the 6th petitioner was encroached to an extent of 286 sq. mtrs., the 2nd respondent-District Collector, Khammam District, is directed to initiate Land Acquisition proceedings in respect of the land affected by the activity of the

respondents 6 to 9 belonging the 6th petitioner and pay compensation within a period of 6 months from the date of receipt of a copy of this order. It is needless to observe that the 9th respondent can execute the work entrusted to it by the respondents 1 to 8. It is also made clear that if the land of any other petitioner is encroached by the respondents, the respondents shall pay compensation within a reasonable period.

7. Accordingly, both the Writ Petition and the Contempt Case are disposed of. No order as to costs. Miscellaneous petitions, if any pending in these two cases shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 10-06-2016

Hsd