

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.35131 OF 2016

ORDER:

The petitioner prays for the following relief:

“...Mandamus declaring the action of the respondents in issuing notification bearing No: ROC. No: E-257041/2016/R&R dt.30.09.2016 as arbitrary, illegal and violative of provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,2013 and Articles 21, 300-A of the Constitution of India...”

At request of respondents, the writ petition was adjourned from 19.10.2016 to 01.11.2016.

The Assistant Government Pleader representing 2<sup>nd</sup> and 3<sup>rd</sup> respondents places on record the written instructions dated 01.11.2016. He submits that the petitioner can be given liberty to appear before 3<sup>rd</sup> respondent with documentary evidence and the case of petitioner will be considered by 3<sup>rd</sup> respondent.

The instructions read thus:

“It is further submitted that even after publication of declaration, representations have been received from the villagers that their agriculture lands are in submergence zone and they have requested to include them in the ongoing acquisition. The representations have been referred to the Water Resource Department for verification with respect to F.R.L. (Full Reservoir Level). Further action will be taken after receipt of the report from the Requisition Department.

In this connection, it is submitted that the Award enquiry is scheduled to be held on 08.11.2016 at Grampanchayat Office, Amravaram village. It is open to the writ petitioner to attend the award enquiry and to

claim is share with respect Sy.No.11-12 of Amaravaram village duly adducing documentary evidence in support of his claim. Instead of approaching the 3<sup>rd</sup> respondent i.e. Land Acquisition Officer with the evidence he possessed to establish his claim, the petitioner has approached the Hon'ble High Court.

It is also submitted that no advance possession of the land is taken in this case and there is no need to deposit the amount. Socio Economic Survey was also taken up in Kukunoor Mandal for implementation of R & R Package.

In view of the above, there are no merits in the grounds urged in the writ petition. The above facts may kindly be appraised to the Hon'ble Court and see that the writ petition is disposed of at admission stage itself."

The instructions are placed on record and the writ petition is disposed of by giving liberty to petitioner to approach the 3<sup>rd</sup> respondent within one week from today. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

Date:21.11.2016  
Sp

S. V. BHATT, J