

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

[Special Original Jurisdiction]

MONDAY THE TWENTYNINETH DAY OF AUGUST, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 28988 OF 2016

Between:

Kodali Sambasiva Rao & Anr. ... Petitioners

V/s.

The State of Andhra Pradesh
Rep. by its Principal Secretary,
Land Acquisition Department,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri Naram Nageswara Rao

Counsel for the Respondent: GP for Land Acquisition [AP]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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WRIT PETITION NO. 28988 OF 2016

ORDER :

Vide the present writ petition, petitioners seek mandamus, declaring the action of the respondents in not responding on legal notice, dated 20/7/2016 to inclusion of valuation of trees, bore wells and structures in Award Notice vide ROC.No. 8/2014 [SDT] of the fourth respondent dated 23/9/2015 though passed Award No. 49/2015 dated 21/9/2015 for the land of Ac:7-85 cents in RS.No. 284/2, situated at Darbhagudem village, Jeelugumilli Mandal, Wet Godavari district as acquiring under Chintalapudi Lift Irrigation Scheme as illegal, arbitrary and consequently to direct the respondents to pay compensation to trees, bore wells and structures as mentioned in above legal notice with compensation mentioned in Award No. 49/2015, dated 21/9/2015 and to pass such other orders.

2. Learned counsel appearing on behalf of petitioners submits that for the relief sought in the writ petition, the petitioners sent legal notice through their advocate on 20/7/2016, however, till date no decision yet taken by the respondents. Learned

Government Pleader appearing on behalf of respondents 2 and 3 has informed this Court that the Award proceedings are pending, therefore, the present writ petition has been filed at premature stage.

3. Keeping in view of the averments made in the affidavit filed in support of the petition and submission of the counsel for the petitioners, I hereby direct the respondents 2 and 3 that while passing the Award in the acquisition proceedings in question, legal notice dated 20/7/2016 issued by the petitioners through their advocate shall be taken into consideration.

4. In view of the above direction, the writ petition is disposed of at the stage of admission. No costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT.

29/08/2016
I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

Date: 29/08/2016
Circulation No.
Court Master: I s L