

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

[Special Original Jurisdiction]

MONDAY THE TWENTYSIXTH DAY OF SEPTEMBER, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32475 OF 2016

Between:

Dasari Somaiah & Ors.

... Petitioners

V/s.

State of Andhra Pradesh
Rep. by its Prl. Secretary
Revenue [LA] Department, A.P.
Secretariat, Hyderabad & Ors.

... Respondents



Counsel for the Petitioners:

Sri KJVN Pundareekakshudu

Counsel for the Respondents:

GP for Land Acquisition [AP]

The court made the following:

[order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAITWRIT PETITION NO. 32475 OF 2016ORDER :

This writ petition is filed by the petitioner seeking mandamus to declare the action of the respondents 2 and 3 in considering the objection/claim dated 17/8/2016 of the petitioners 1 to 3 by disallowing the claim of the fourth respondent and objection/claim dated 22/8/2016 of the fourth petitioner by disallowing the claim of fifth respondent including non-payment of land acquisition compensation/exgratia to the petitioners 1 to 3 for the lands in an extent of Ac:0-70 guntas in survey No.14/EE, Ac:1-26 guntas in survey No. 456, Ac:1-23 in survey No. 462, Ac:3-00 in survey No.464/1/AA/1, Ac:3-00 in survey No. 454/1/A/18 and the fourth petitioners land in an extent of Ac:2-27 guntas in survey No.180/AA and Ac:2-00 in survey No. 305-1-21 and Ac:1-00 in survey No. 216/8 are situated in Kukunuru village and Mandal, West Godavari district, as illegal, arbitrary and violative of the principles of natural justice as well as violation of Land Acquisition Act, 30 of 2013

and consequently to direct the respondents 2 and 3 to consider the claim/representation dated 17/8/2016 of the petitioners 1 to 3 and claim of the fourth petitioner dated 22/8/2016 and issue land acquisition compensation/exgratia to their respective lands published mistakenly in the name of fourth and fifth respondents and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Vide the present writ petition, the petitioners seek direction thereby directing the respondents 2 and 3 to consider and decide the representation/claim dated 17/8/2016 and 22/8/2016, consequently not to disburse the compensation amount in favour of respondents 4 and 5 till decision is taken on the representations.

3. Keeping in view, the averments made in the affidavit filed in support of the petition and submission of the counsel for the parties, I hereby direct the respondents 2 and 3 to consider and decide the representation/claim of the petitioners 1 to 3, dated 17/8/2016 and also the representation/claim of the fourth petitioner dated

22/8/2016 as noted above and pass appropriate orders on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioners, within a period of two weeks from the date of receipt of a copy of this order. I further direct the respondents to communicate the order passed on the representations noted above to the petitioners within one week thereafter.

4. I hereby make it clear that till decision is taken and conveyed to the petitioners, compensation amount shall not be disbursed in favour of the respondents 4 and 5.

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

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

JUSTICE SURESH KUMAR KAIT.

26/09/2016
I s L

NB: CC tomorrow

B/o : I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32475 OF 2016



Date: 26/09/2016
Circulation No.
Court Master: I s L