

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.28755 of 2016

ORDER:

Vide the present petition, the petitioner seeks Mandamus declaring the action of the respondents in not paying the compensation to the petitioners regarding their house property of Ac 0.05 cents in Sy.No.341/4 situated at Kalanutuvala Village of Peddaarevedu Mandal, Prakasam District, as their lands are submerged in Poola Subbaiah Velegonda Project, as illegal, arbitrary and consequently to direct the respondents to pay compensation to the petitioners for the house property as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013 (for short "the Act").

Heard learned counsel for the petitioners and learned Government Pleader for Land Acquisition.

Learned counsel for the petitioners submits that till date the petitioners have not received any compensation amount for the acquired land under the Act.

In para-4 of the affidavit, it is averred that the Government of A.P., has issued G.O.Ms.No.68, dated 08.04.2005 thereby declaring Rehabilitation and Resettlement (R&R) Policy for project affected families. The entire village including the lands, house and sites are fallen under the submergence of Poola Subbaiah Veligonda Project. Due to submergence in the said project, the respondent authorities decided to pay compensation, acquire the properties of villages and rehabilitate all the displaced persons.

The respondent authorities processed and rehabilitated many displaced persons. But unfortunately the families of the petitioners are neither rehabilitated nor paid compensation for the aforesaid house and site properties.

In view of the above facts and circumstances of the case, I hereby direct the respondents to treat the present petition as representation made by the petitioners and decide the same within four (04) weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date :26-08-2016

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