

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. No.37794 OF 2014

ORDER :

This writ petition is filed seeking writ of *mandamus* declaring the action of the respondents 2 and 3 in not responding to the representations dated 26.02.2008 and 04.09.2014 made under Section 28-A of the Land Acquisition Act, as illegal and arbitrary.

2. It is the case of the petitioner that he is the owner of an extent of Ac.0.40 cents of land in S.No.251/10 and Ac.1.32 cents in S.No.251/1 situated in Suryaraopet village, Kakinada Rural Mandal. That an extent of Ac.1.51 cents belonging to the petitioner along with others was acquired for construction of M/s.Nagarjuna Fertilisers and Chemicals Limited, Kakinada under Award No.10 of 1988, dated 19.10.1988. Not satisfying with the compensation awarded, one J.Ratnajirao and J.Satyamurthy filed protest application under Section 18 of Land Acquisition Act and the matter was referred to civil court under O.P.No.104 of 2003. The trial Court enhanced the compensation and statutory benefits were granted. When the petitioner's claim was not referred to Civil Court under Section 18 of the Land Acquisition Act, he filed W.P.No.18028 of 2004 before this Court, which was dismissed on 07.10.2004 with an observation that the petitioner is entitled to avail remedy under Section 28-A of the Land Acquisition Act. Thereafter, the petitioner made representations to the 2nd and 3rd respondents on 26.02.2008 and also on 04.09.2014 under Section 28-A of the Land Acquisition Act, but no orders are passed on the said representations. Aggrieved by the same, the writ petition is filed.

3. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition.

4. Since the representations of the petitioner are pending with the

3rd respondent, there shall be a direction to the 3rd respondent to consider and dispose of the representations of the petitioner dated 26.02.2008 and 04.09.2014 said to have been filed under Section 28-A of the Land Acquisition Act and communicate the decision to petitioner within a period of three (3) months from the date of receipt of a copy of this order.

Accordingly, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending, shall stand closed.

26.04.2016.

kvs

A.RAJASHEKER REDDY, J

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Date: 26-04-2016

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