

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.10482 and 23021 of 2017

COMMON ORDER:

W.P.No.10482 of 2017 is filed for the following relief:

“.....issue a writ, order or direction one in the nature of mandamus declaring the action of respondent No.2 in trying to disburse the compensation amounts in respect of Ac.0.26 cents of land in Survey No.81/6 of Kavulavada Village, Bhogapuram Mandal, Vizianagaram District pending the civil dispute between the petitioner and respondent No.3 is illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India....”

W.P.No.23021 of 2017 is filed for the following relief:

“.....to issue a writ of or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd and 3rd respondents in trying to disburse the compensation amounts in respect of the land in 1) Sy.No. 82/34 to an extent of Ac. 0.34 cents and 2) Sy.No. 84/33 to an extent of Ac 1.98 cents, in Kavulavada Village, Bhogapuram Mandal, Vizianagaram District as illegal, arbitrary, unjust, *mala fide* and contrary to law and in violation of principles of natural justice and in violation of Art. 14 and 21 of the Constitution of India....”

These writ petitions are being disposed of by this common order as the petitioner in W.P.No.10482 of 2017 is respondent No.4 in W.P.No.23021 of 2017.

It is admitted that the petitioner in W.P.No.10482 of 2017 is the sister of petitioner No.1 in W.P.No.23021 of 2017. It appears

that vast extent of Acs.5311.00 of land covered by nine revenue Villages was acquired for International Airport at Bhogapuram by the Government of Andhra Pradesh. A preliminary notification was issued on 31.08.2015 showing the name of the petitioner in W.P.No.10482 of 2017. The petitioners in W.P.No.23021 of 2017 disputed the claim of respondent No.4 therein. There are no details with regard to the subsequent events that have taken place after issuing the notification, but it appears that a legal notice was issued on 22.04.2017 by the petitioners in W.P.No.23021 of 2017 raising objection with regard to payment of compensation to the petitioner in W.P.No.10482 of 2017.

Though learned counsel for the petitioners in both the writ petitions raised several contentions with regard to the right, title and interest of the land, this Court is not inclined to entertain the same and it is for the petitioners to satisfy the competent authority with regard to their right to receive compensation for the land acquired through the acquisition proceedings.

In view of the above, liberty is given to the petitioners to make an application to the District Collector with the evidence at their disposal, in support of their claim, and the Collector shall consider the same and refer the matter to the authority constituted under Section 52 of Act 30 of 2013, within 30 days from the date of receipt of the application. Till such time, no

amount of compensation in respect of the land involved in the present writ petitions shall be paid to any of the parties.

The writ petitions are accordingly disposed of.

Miscellaneous petitions, if any, pending in these writ petitions shall also stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:04.09.2017

kdl

