

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.17906 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a Writ, order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in not referring the matter to civil court under Section 30 of the Old Act and Section 76 of the New Land Acquisition Act inspite of the petitioners representation dated 28.5.2017 in connection with the petitioner lands situated in Sy.No. 109 to an extent of Ac.3.00 gts situated at Arvapalli Village, Kukkunoor Mandal, West Godavari District, inspite of the ROR appeal pending before the 4th respondent without showing the petitioner name in the Land Acquisition Notification and trying to pay the compensation amounts in favour of the respondents 6 and 7 in respect of the land in question is illegal and void and opposed to Article, 14, 19, 21 and 300-A of Constitution of India and consequently to direct the respondents 1 to 6 to refer the matter to the civil court by depositing the entire compensation amount in respect of the land in question.”

2. Heard learned counsel for the petitioners and also the learned Government Pleader representing the respondents

1 to 5, before admission and before notice to the unofficial respondents 6 and 7.

3. From the submission of the learned Government Pleader, on written instructions, that the pre-award enquiry is not yet conducted and it is scheduled to be conducted on 16.06.2017 and petitioners in the writ petition say they already made a representation dated 28.05.2017, while directing the petitioners to send a copy of the representation by registered post and participate with necessary material in support of their claim in the enquiry to consider on own merits by the respondents.

4. With the above direction, this writ petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO,J

07.06.2017
SS