

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.17550 OF 2017

ORDER:

This Writ Petition is filed by the petitioner with the prayer which reads as follows:-

“To issue a writ or more in the nature of a Writ of Mandamus or any other appropriate writ order or directions to direct the Respondent Nos.2 and 3 not to disburse the compensation amounts to respondent Nos.4 and 5 in respect of agriculture lands in Sy.No.28/ E admeasuring Ac.1.32gts., in Sy.No.29/ EE admeasuring Ac. 1.00gts. in Sy.No.31/ E admeasuring Ac.2.02cents, in Sy.No.42/ A Ac.5.00gts, in sy.No.52/ AA admeasuring Ac.3.82cents, in sy.No.62/ AA Ac.2.80cents, in Sy.No.73/ AA admeasuring Ac.3.48cents in Sy.No.74/ AA admeasuring Ac.2.75cents total admeasuring Ac.22.54cents situated at Pocharam village, Kukkunooru Mandal, West Godavari District till disposal of the revenue case in respect of said lands pending before respondent No.3 vide case No.C/ 2654/ 2006, the said lands are acquired under the Land Acquisition Proceedings issued by respondent No.2 vide proceedings No.E-617612/ 2017 R & R, dated 08.03.2017 u/ sec.11(1) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 & Rules 2014 and another subsequence proceedings issued by respondent No.2 in ROC No.617612/ 2017 R & R, dated 21.05.2017 u/ sec.19(1) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 & Rules 2014 issued for land acquisition for acquiring lands for Polavaram project and consequently declare the action of respondent No.2 and 3 in not considering the representations of petitioners, dt.12.05.2017 is illegal arbitrary against to the principles of natural justice and pass such other order or orders....”

Heard learned counsel for the petitioners, Sri M.Rajamalla Reddy, learned counsel for respondents 4 and 5 and the learned Govt. Pleader for Land Acquisition representing respondents 1 to 3 and also perused the written instructions dt.03.06.2017 received by the learned Govt. Pleader from the Sub Collector & Land Acquisition Officer, Kukunoor, which shows that there are two daily newspaper publications, Gazette and in the

locality regarding calling for objections with respect to the notification to participate in the enquiry to be conducted after 60days from the date of respective publication and gazettes and the time is still prevailing to comply with the objections.

Having regard to the above, the writ petitioner can put forth his grievance with supporting material by filing objections and the prayer in the writ petition not to disburse compensation is premature as that stage is not even reached but for calling for objections and conducting enquiry as to who are entitled to compensation to be determined to pay.

Accordingly, the Writ Petition is disposed of. Any further grievance of the petitioner is left open. As a sequel, miscellaneous petitions if any pending in this Writ Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.05.06.2017
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