

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.9773 OF 2007

Date 27.12.2017

Between:

Paturu Konda Reddy and another.

... Petitioners

AND

The Special Deputy Collector (LA), Somasila Project, Unit-IV, Rajampeta, Kada District and another.

.....Respondents



HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.9773 of 2007

ORDER:

The Writ Petition is filed seeking a direction to respondents to pay compensation, under Section 28-A of the Land Acquisition Act, 1894 (the Act), to the lands of petitioners situated at Voguru Village, Gopavaram Mandal, kadapa District, situated in Reach No.III, in terms of compensation fixed in LAOP.No.54 of 1985 on the file of Subordinate Judge, Rajampet, as directed by this Court in W.P.No.20761 of 2004 dated 16.12.2004.

Brief facts, according to the petitioners, are that their lands situated at Voguru Village, Gopavaram Mandal, Kadapa District, along with others, were acquired by the respondents for the purpose of submersion under Somasila Project pursuant to notification dated 05.01.1978; award was passed on 02.06.1980 fixing meager compensation; the other land holders, whose lands were acquired under the very same notification, sought reference under Section 18 of the Act, which was taken on file as LAOP.No.54 of 1985; LAOP.No.54 of 1985 was disposed of on 25.04.1987 enhancing compensation; though petitioners, along with others, filed application under Section 28-A of the Act to redetermine compensation in terms of LAOP.No.54 of 1985, no action was taken; petitioners, therefore, filed W.P.No.20761 of 2004, wherein this Court, by order dated 16.12.2004, directed to

consider the applications of petitioners, and pass appropriate orders, after verifying as to whether the applications are filed within time and whether they have not availed the benefit of reference under Section 18 of the Act, within a period of three months from the date of receipt of a copy of the order; and, as the petitioners applications were not considered, the present writ petition is filed.

Learned Government Pleader for Land Acquisition passed on written instructions of the Special Deputy Collector (LA), Somasila Project Unit – IV, Rajampet dated 31.05.2007, wherein it is specifically stated that the villagers have settled in various places through out the State and their whereabouts are not known.

Learned counsel for the petitioners submits that the instant writ petition may be disposed of in terms of the order in W.P.No.20761 of 2004 and batch dated 06.12.2004, as the petitioners herein were petitioner Nos.96 and 88 in the above writ petition. Present Writ Petition is disposed of in terms of W.P.No.20761 of 2004.

Accordingly, the respondents are directed to consider the applications of petitioners and pass appropriate orders after verifying as to whether the applications are filed within time and whether they have not availed the benefit of reference under Section 18 of the Act. within a period of three months from the date of receipt of a copy of the order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Dt:27.12.2017
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