

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4635 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking 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 official respondents in trying to disburse the land compensation amount of acquisition of the petitioner's land an extent Ac.12.09 Gts., in Sy.No.80, 85 and 91 situated at Upperu Village, Kukunur Mandal, West Godavari District to the unofficial respondents as illegal, arbitrary, unreasonable, and consequently direct the official respondents not to disburse the compensation of the land acquisition amount till the adjudication of dispute between petitioner and unofficial respondents.”

2. Heard learned counsel for the petitioner and learned Government Pleader for Land Acquisition appearing for respondent Nos.1 to 4 apart from perusing the material available on record.

3. In the present writ petition, the petitioner herein is disputing the right of respondent Nos.5 to 8 in receiving compensation amount in respect of the subject properties. It is submitted by the learned Government Pleader, on instructions, that award has not been passed in respect of the subject properties and it is open for the petitioner as well as respondent Nos.5 to 8 to raise their claims before the Authorities under Act 30 of 2013.

4. Having regard to the submission made by the learned counsel for the petitioner and the learned Government Pleader for respondent Nos.1 to 4, this Court is of the considered opinion that ends of justice would be served if the petitioner as well as

respondent Nos.5 to 8 are permitted to raise their claims before the respondent authorities with regard to their right over the subject properties.

5. For the aforesaid reasons, the Writ Petition is disposed of, keeping it open to the petitioner as well as respondent Nos.5 to 8 to raise their respective claims before respondent No.3 and it is open for respondent No.3 to consider the same and pass appropriate orders in accordance with law. There shall be no order as to costs.

6. Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

15.02.2017
AMD

JUSTICE A.V.SESHA SAI



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Date: 15.02.2017

AMD