

The Hon'ble Sri Justice A.V.Sesha Sai

Writ Petition No.8239 of 2017

Date: 10.03.2017

Order:

This Writ Petition is filed for the following substantive relief:

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents arbitrarily taking over the open land belonging to the petitioner denying with the structures of Mangaloor tiles roof No.141 in reach No.XIV admeasuring in Ac.0-82 cts opened land situated in Sy.Nos 27/ of Mangampet Village,' Obulavaripalli Mandal, YSR District, without awarding compensation and without recourse to due process of law but only paying the compensation in respect of houses of Mangaloor tiles roof in structure No. 141 in reach No,XIV, H.Nos. 41,42,43,44 and 45 in the name of the petitoner's husbandd name Sri K. Lakshmikar Reddy in reach No. 14 in Sy.No. 27 situated within 500 mts of Danger Zone of Mangampet Village as being arbitrary, illegal, unjust unconscionable and in violation of Articles 14 and 16 of the Constitution of India and consequently direct the respondents to award and pay compensation to the petitioner in terms of provisions of the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in respect of open land admeasuring Ac.0- 82 cts in Sy.No 27/1 of

Mangampet Village, Obulavaripalli Mandal, YSR District together with interest of 18% per annum from the date of taking over of land till the payment is actually made with costs of the litigation and exemplary damages and to pass such other order or orders as the Honble Court may deem fit and proper.”

When the matter is called, the learned Counsel for the petitioner submitted that the petitioner may be permitted to make a representation for redressal of his grievance for consideration of the respondents.

In view of the aforesaid submission, the Writ Petition is disposed of, without expressing any opinion on the merits of the case permitting the petitioner to make a representation and the respondents may consider the same in accordance with law.

As a sequel to disposal of the Writ Petition, WPMP.No.10170 of 2017, filed by the petitioner for interim relief, is disposed of as infructuous.

(A.V.Sesha Sai, J)

Dt: 10th March, 2017
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