

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.42237 of 2016

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 notification in Rc.No.E-135089/2016/R&R, dated 02.07.2016 under Section 11(1) and subsequent notification dated 22.10.2016 issued under Section 19(1) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by the 2<sup>nd</sup> respondent to the extent of items 7 to 14 and 17 in respect of total extent of Acr.36.00 cts in Sy.No.173, 174, 175, 176/1 and 177 of Doramamidi village, Buttaigudem Mandal, West Godavari District as bad, illegal, contrary to the said Act, and also contrary to the order of status quo granted by this Hon'ble Court in W.P.No.13980 of 2006, dated 11.07.2006 and offends Articles 14, 21 and 300-A of Constitution of India and consequentially to set aside the said notifications to the extent of lands shown at items 7 to 14 and 17 for which the petitioners are concerned”.

2. Heard the learned counsel for the petitioners, the learned Government Pleader appearing for Respondents 1 to 4 and the learned counsel appearing for respondents 6 to 11, apart from perusing the material available on record.

3. In the present Writ Petition, the petitioners herein are disputing the right of respondents 6 to 11 in receiving compensation amount in respect of the subject properties. It is submitted by the learned Government Pleader, on instructions, that award has not yet passed in respect of the subject properties and it is open for the petitioners as well as respondents 6 to 11 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 petitioners, the learned Government Pleader for Respondents 1 to 4 and the

learned counsel for respondents 6 to 11, this Court is of the considered opinion that ends of justice would be served if the petitioners as well as respondents 6 to 11 are permitted to raise their claims before the Respondent authorities with regard to their right over the property.

5. For the aforesaid reasons, the Writ Petition is disposed of, keeping it open to the petitioners as well as respondents 6 to 11 to raise their respective claims before the respondent authorities and it is open for the respondent authorities to consider the same and pass appropriate orders, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 7.2.2017  
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A.V.SESHA SAI, J

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