

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.18070 OF 2017

ORDER:

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

“to issue writ order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondent No. 1 to 6 in not considering the objections dated: 24-04-2017, 24-05-2017 of the petitioners No. 1 to 4 to the preliminary notification Roc.No.E611347/2017/R&R, dated: 05-03-2017 and 2nd notification bearing Roc.No.E611347/2017/R&R, dated: 21.05.2017 by the 2nd respondent and issuing the same, notifying that the objections are considered, enquiry been conducted and respondents No. 7 and 8 are entitled for the compensation, Rehabilitation and Resettlement reliefs, for the land bearing Survey No. 18 to an extent of Ac: 3-17 gts out of Ac: 6-35 gts situated at Polaram Village, Kukunoor Mandal, West Godavari District is illegal, arbitrary, null and void and in violation of section 15 to 22 of the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act 2013 and in violation of Article 300-A of the constitution of India and consequently direct the respondents No. 1 to 6 to consider the objections dated: 24-04-2017, 24-05-2017 of the petitioners No. 1 to 4 to the preliminary notification Roc.No.E-611347/2017/R&R, dated: 05-03-2017 and 2nd notification bearing Roc.No.E-611347/2017/R&R,

dated: 21-05-2017 by the 2nd respondent for the land bearing Survey No. 18 to an extent of Ac: 3-17 gts out of Ac: 6-35 gts situated at Polaram Village, Kukunoor Mandal, West Godavari District and till the disposal of the objections dated: 24-04-2017 and 24-05-2017 of the petitioners 1 to 4, not to disburse the compensation amount to the respondent No. 7 & 8 pertaining to the above land and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioner and also perused the prayer with supporting affidavit and other material on record and the written instructions received by the learned Government Pleader for Land Acquisition representing the respondents 1 to 6, before ordering notice to the unofficial respondents 7 and 8.

3. The grievance of the petitioner is that he is entitled to right of compensation over the property under the process for acquisition initiated under Act 30 of 2013 and ignoring his rights, the official respondents are trying to favour the unofficial respondents 7 and 8.

4. The written instructions received by the Assistant Government Pleader and his submission is that they are going to conduct pre-award enquiry and the petitioner can as well participate with relevant record with him and the

pre-award enquiry is going to commence on tomorrow i.e., on 15.06.2017.

5. Having regard to the above and pursuant to the above, this writ petition is disposed of, directing the petitioner to approach the authority and participate in the pre-award enquiry with relevant material for passing appropriate orders by consideration of the same. Any further grievance of the petitioner is left open.

6. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

14.06.2017

*Note: issue C.C.today.
B/o.SS*

DR.B.SIVA SANKARA RAO,J

