

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

WRIT PETITION No.13471 OF 2017

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, seeking the following relief:

“declaring the action of the Respondents Nos. 3 and 4 in not depositing the compensation amount awarded towards acquisition of the land in Sy. No. 301 & Sy. No. 302 of Padiredu Village, Vadamalapeta. Mandal, Chittoor District inspite of the Petitioners' objection as illegal, arbitrary, mala fide and in violation of the principle of natural justice apart from violation of Article 300-A of the constitution of India by setting aside the same and consequentially direct the Respondents No. 2 to 4 to deposit the said compensation amount awarded towards acquisition of land in Sy. No. 301 & Sy. No. 302 of. Padiredu Village, Vadamalapeta Mandal, Chittoor District as per the Award NO. 47/NH/Toll Plaza/2015, PADIREDU(V)dt. 04.05.2015 in Civil Court preferably in O.S. No. 108/2015 on the file of Senior Civil Judge, Puttur.”

2. Heard the learned counsel for the petitioners and the learned Government Pleader.

3. When the matter is called today, written instructions, furnished by the Revenue Divisional Officer, Chittoor, vide Lr.Roc.F/269/2014, dated 15.04.2017, have been placed on record. Last two paragraphs of the said letter read as under:

“In this connection it is further submitted that after having examined the above case it is noticed that O.S.No.108 of 2015 is pending before the Senior Civil Judge, Puttur. Hence it is decided to refer the matter to the III Addl.District Judge Tirupati u/s 3H(g) of the NHAI Act 1956 and to deposit the compensation amount of Rs.2,13,27,769.55 (Two crores thirteen lakhs twenty seven thousands seven hundred sixty nine rupees and fifty five paise).

At present no funds is available with the Rev.Divl.Officer Chittoor to deposit the said amount to the ADJ Court Tirupati. Hence I have addressed a letter vide this office ref.Roc.F/269/2014 dated 14.11.2016 to the General Manager(Tech)&Project Director, NHAI, Chennai with a request to issue cheque for the said amount in favour of III Addl.District Judge Tirupati. Receipt of cheque for the amount is awaited from the General Manager, (Tech) & Project Director, NHAI Chennai.

This is submitted for favour of kind information.”

4. The said instructions are placed on record and the writ petition stands disposed in view of the same. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

APRIL 17, 2017
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Date: 17.04.2017

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