

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

WRIT PETITION No.13369 OF 2017

ORDER:

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

“declare the action of the respondents in deleting petitioner's name in the declaration published by respondents on 04.04.2017 in respect of the land covered in RS No.34/2D, an extent of Ac.5.00 Cts situated at Rachannagudem Village, Jeelugumilli Mandal, West Godavari District as illegal arbitrary and contrary to the provisions of Land Acquisition Act 30 of 2013 and consequentially direct the respondents to consider the objection raised by the petitioner on 06.04.2017 for release of compensation in favor of the petitioner in respect of the land covered in RS No.34/2D an extent of Ac.5.00 Cts situated at Rachannagudem Village, Jeelugumilli mandal, West Godavari District.”

2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for respondents 1 to 4. Perused the material available on record.

3. In the present Writ Petition, the petitioner is claiming right over the property in R.S.No.34/2D situated at Rachannagudem Village, Jeelugumilli Mandal, West Godavari District, which is notified vide Notification, dated 03.12.2016, under Section 11 (1) of Act 30 of 2013. It is submitted by learned counsel for the petitioner that though the name of the petitioner finds place in the notification issued under Section 11 (1) of the Act 30 of 2013, the same is deleted in declaration issued under Section 19 of Act 30 of 2013. It is further submitted by learned counsel for the petitioner that the petitioner herein submitted a representation to the

respondents on 05.04.2017 duly bringing to the notice of the authorities the right over the land to an extent of Ac.5.00 cents in R.S.No.34/2D situated at Rachannagudem Village, Jeelugumilli Mandal, West Godavari District.

4. Grievance of the petitioner herein in the present Writ Petition is non-consideration of the said representation, dated 05.04.2017, by the 4th respondent. According to the learned Government Pleader, Award enquiry is pending before the 4th respondent. Therefore, it is open for the petitioner to participate in the said Award enquiry by producing evidence and relevant material in support of his right and title to the property and on such participation, it is open for the 4th respondent to consider the same and pass appropriate orders in accordance with law.

5. With the above observation, the Writ Petition is disposed of. 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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