

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.21837 OF 2017

ORDER

Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the 3rd respondent.

The petitioner claims to be the owner of an extent of Ac.18-21 guntas situated in Sy.No.498 & 499 of Janagam Village, Ramagundam Mandal, Peddapalli District. The said land was acquired and an Award was passed on 03.09.1979 fixing the compensation at Rs.2,000/- per acre. On reference to the Civil Court, the amount was enhanced in O.P.No.55 of 1981 from Rs.2,000/- to Rs.5,000/- per acre. Against the said order, the petitioner filed A.S.No.842 of 1987 and this Court enhanced the said compensation from Rs.5,000/- to Rs.5,500/- per acre along with consequential benefits. It is the case of the petitioner that the said enhanced amount was not paid. Hence, he filed PLC No.198 of 2015 before the Mandal Legal Services Committee (VI Additional District & Sessions Judge), at Godavarikhani. He has also filed a calculation memo, which was disputed by the 3rd respondent. The Mandal Legal Services Committee directed the petitioner to file a fresh cheque petition by filing a correct calculation memo. Pursuant to the same, he filed a fresh calculation memo on 24.06.2016. When the

amount as per the calculation memo was not paid, the present writ petition is filed.

No counter-affidavit is filed.

As could be seen from the reply filed before the Mandal Legal Services Committee, the 3rd respondent states that pursuant to the judgment and decree passed by this Court in A.S.No.842 of 1987, dated 30.06.1997, the 3rd respondent deposited the enhanced compensation of Rs.37,009/- along with calculation statement on 21.01.1998 before the Sub-Court, Peddapalli. The Court received the said DD and acknowledged the same. Thus, the 3rd respondent paid the entire compensation as determined by this Court in the above appeal. The petitioner also filed a calculation memo along with cheque petition in C.F.No.1509 in O.P.No.55 of 1981 and the said Court vide its order dated 23.03.1999 returned the same stating that it was incorrect and the petitioner was directed to file a fresh cheque petition. Without complying the said direction, he had filed PLC No.198 of 2015 before the Mandal Legal Services Committee.

In view of the same, the present writ petition cannot be entertained.

Accordingly, the writ petition is dismissed. However, it is open to the petitioner to take appropriate steps for execution of the decree, if any, in accordance with law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

13th September, 2017
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