

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.21187 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the respondents in not paying compensation for the land in which a road was laid by occupying the land of the petitioner, of an extent of 0.11 ½ cents in Sy.No.126/ 1 and 2, and Sy.No.129/ 1 and 3 in Fazulbegpeta of Gujarathipeta, Srikakulam Town, as illegal and arbitrary, and consequently, direct the respondents to pay the compensation for the land used by the respondents for laying the road.

Heard and perused the material available on record.

The case of the petitioner is that he possessed certain extent of land in different survey numbers in Fazulbegpet, Srikakulam. The said land is an ancestral property of the petitioner. The 2nd respondent laid a road from Fazulbegpet leading to Gujarathipeta in the land belongs to the petitioner. The grievance of the petitioner is that the 2nd respondent while laying the road in the land of the petitioner has not followed the procedure for acquiring the said land nor they did not pay the compensation to the petitioner for the said land acquired for the purpose of laying the road. Therefore, the petitioner made representation on 10.05.2017 to the 2nd respondent to pay the compensation for the land acquired by them for laying the road, but the 2nd respondent did not consider the same so far. Hence, this writ petition.

Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

The Writ Petition is disposed of directing the 2nd respondent to consider representation, dated 10.05.2017, submitted by the petitioner, and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

June 29, 2017
KTL

