

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.27910 OF 2017

ORDER:

This writ petition is filed by the President of Mandal Praja Parishad, Jeelugumilli, West Godavari District, for considering her representation dated 20.04.2017 for supply of Award copies in respect of lands acquired for the purpose of R&R Package.

The petitioner states that she belongs to Koya community and she was elected as MPTC of Ankannagudem Village, Jeelugumilli Mandal, West Godavari District. She was elected for a period of five years from 2014 to 2019. The Government of Andhra Pradesh is constructing Polavaram Project across Godavari River and in the said project, the tribal lands are affected. A Notification was issued on 10.12.2016 in respect of the lands situated in Swarnavarigudem for an extent of Acs.205.00, and objections were invited from general public for acquisition of the said lands. In respect of Rachannagudem Village also, a Notification was issued on 03.12.2016 for acquisition of Acs.166.00 of lands. She further states that as per Section 242-F of the Panchayat Raj Act, the Mandal Parishad shall be consulted before acquiring the lands in the Scheduled Areas for development projects. She states that she raised an objection for supply of necessary documents including Award and when the same were not considered, the present writ petition is filed.

The learned Government Pleader produced a copy of the written instructions submitted by the R&R Officer & Project Officer (FAC) and the relevant portion of the same reads as under.

"I submit that Swarnavarigudem, Rachannagudem and Mulagalampalli Villages of Jeelugumilli Mandal are the villages, wherein the non-ST ryoths have given consent to part with their land to provide land to land and house sites to the ST PDFs of Polavaram Irrigation Project in Velairpadu Mandal villages. After

following the due procedure contemplated under LA Act 30 of 2013, lands as shown below were acquired in these villages of the said purpose. While acquiring the lands the resolution of the concerned Gram Sabhas and the Mandal Parishad, Jeelugimilli were also obtained. The following are the details of extents acquired.

Sl. No.	Name of the village	Extent for which Award passed Acs. Cts.	Award No.	Date of Award
1	Mulagalampalli	45.98	2/2017-18 (R&R)	29.05.2017
2	Swarnavarigudem	205.09	1/2017-18 (R&R)	29.05.2017
3	Rachannagudem	160.95	5/2017-18 (R&R)	29.06.2017

There is no truth in the allegation that the Land Acquisition Officer has not obtained the consents as required under Section 41 of the LA Act.

As regards the request of the petitioner for supply of award copies, it is submitted that the petitioner's land has not been either involved in acquisition nor the petitioner is resident of any of the three villages mentioned above. As such, she has no *locus standi*. Generally award copies will be provided on the request of the land owners whose lands are involved in acquisition. Hence, the request of the petitioner for supply of award copies in respect of the awards passed in the above three villages do not deserve consideration".

In view of the above instructions, the writ petition is dismissed. However, it is open to the petitioner to apply for required information under the provisions of the Right to Information Act, if the petitioner wants any information.

Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed.

A.RAMALINGESWARA RAO, J

13.09.2017
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