

**THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

**WRIT PETITION No.19681 OF 2017**

**ORDER:**

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a Writ, order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 4<sup>th</sup> respondent, who is the in charge of the 3<sup>rd</sup> respondent, in not passing orders on the objection petition disputing the title and seeking to refer the matter to civil court or competent authority, which is not established as on today by the state government under sections 51 & 64 of the land acquisition act. without issuing notice to the petitioner and without passing award, trying to pay the compensation amount in favour of the 6<sup>th</sup> respondent by transferring the compensation amount into the account of 6<sup>th</sup> respondent vide account no.62373713709, State bank of India Sarapuka Branch, Bhadravadi Kothagudem District of 7<sup>th</sup> respondent bank in respect of the land in Sy.No.99 to an extent of 1.13 Guntas situated in Kondapalli village of Kukunoor mandal, West Godavari district, covered under land acquisition final notification issued vide RC.No.E/126235/2016 R&R, dt.30-09-2016 published in ‘Prajasakthi’ Daily News Paper, is illegal and void and opposed to Article. 14, 19, 21 and 300-A of Constitution of India including against the orders passed in W.P.No.45604/2016 dt.30-03-2017 and

consequently to direct the respondents 1 to 4 to refer the matter to the Civil Court or competent authority by duly deposing the entire compensation amount in respect of the land in question and to pass such other order or orders in the interest of justice.”

2. Heard the learned counsel for the petitioner and also the learned Government Pleaders for Land Acquisition and Social Welfare for the respondents and perused the prayer in the writ petition with supporting affidavit and other material on record, including the written instructions received by the learned Government Pleader for Land Acquisition from the Sub-Collector and Land Acquisition Officer, Kukunoor, West Godavari District.

3. The contention of the petitioner is that despite the directions of this Court earlier in W.P.No.45604 of 2016, dated 30.03.2017, even the petitioner approached with 1-B Revenue permanent record and Adangals, the same is not considered. The written instructions received from the respondents by the learned Government Pleader also no way reflects its consideration but for saying not produced any record.

4. Having regard to the above and to avoid unnecessary controversy, the petitioner is directed to give a fresh representation by mentioning in the representation all the required documents he want to rely as enclosures by

appending to it and submit within one week from the date of receipt of a copy of this order, for the respondents to consider and pass appropriate orders of petitioner's entitlement to compensation if any. Further grievance is left open. Any compensation payable to other respondents without determining the petitioner's claim is subject to risk of the respondents.

6. Miscellaneous petitions pending consideration, if any, in this case shall stand closed. No order as to costs.

**DR.B.SIVA SANKARA RAO,J**

**20.06.2017**

*Note: issue C.C. by tomorrow.  
B/o. SS*

