

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.11283 of 2017

ORDER:

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

“..... to issue appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent pressurizing petitioner to compromise with the respondent No.5 for an extent of Ac.2.05 kuntas lands in Sy.No.42, situated in Peddaravi Gudem Revenue Village fields, Kukunoor Mandal, West Godavari District, as arbitrary, illegal and violation of Articles 19, 21 and 300-A of the Constitution of India and consequently direct the respondents for considering the representation of the petitioner dt.20.03.2017 pass award in favour of the petitioner”

2. Heard learned counsel for the petitioner, learned Government Pleader appearing for Respondent Nos.1 to 4 and the learned counsel appearing for Respondent No.5, apart from perusing the material available on record.

3. In the present Writ Petition, the petitioner herein is disputing the right of respondent No.5 in receiving compensation amount in respect of the subject property. It is submitted by the learned Government Pleader, on instructions, that award has not yet been passed in respect of the subject property and it is open for the petitioner as well

as respondent No.5 to raise their claims before the Authorities under Act 30 of 2013.

4. Having regard to the submission made by the learned counsel for the petitioner, learned Government Pleader for Respondent Nos.1 to 4 and the learned counsel for respondent No.5, this Court is of the considered opinion that ends of justice would be served if the petitioner as well as respondent No.5 are permitted to raise their claims before the respondent authorities with regard to their right over the property.

5. For the aforesaid reasons, the Writ Petition is disposed of, keeping it open to the petitioner as well as respondent No.5 to raise their respective claims before the respondent authorities and it is open for the respondent authorities to consider the same and pass appropriate orders, in accordance with law.

6. As a sequel, Miscellaneous Petitions pending consideration, if any, in the Writ Petition shall stand closed. No order as to costs.

JUSTICE A.V. SESA SAI

30.03.2017.
Msr

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Msr