

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.1178 of 2017**

**ORDER:**

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

“... to issue an appropriate writ or order more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in proceeding to pass compensation award to 4<sup>th</sup> to 6<sup>th</sup> respondents without taking in to consideration objections of the petitioners, without disposing petition pending with the 3<sup>rd</sup> respondent and against the provisions of Act 30 of 2013 as illegal, arbitrary, unconstitutional and against the principles of natural justice and consequently direct the 3<sup>rd</sup> respondent to dispose petition, dated 22.10.2016, pending before 3<sup>rd</sup> respondent within a reasonable time and then only pass any award for the lands in Sy.No.186 and 198 in Kondapally Village, Kukkunoor Mandal.”

2. Heard the learned counsel for the petitioners, the learned Government Pleader appearing for respondent Nos. 1 to 3 and the learned counsel appearing for respondent Nos.4 to 6, apart from perusing the material available on record. .

3. In the present Writ Petition, the petitioners herein are disputing the right of respondent Nos.4 to 6 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 petitioners as well as respondent Nos.4 to 6 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 petitioners, the learned Government Pleader for respondent Nos. 1 to 3 and the learned counsel for respondent Nos.4 to 6, this Court is of the considered opinion that ends of justice would be served if the petitioners as well as respondent Nos.4 to 6 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 petitioners as well as respondent Nos.4 to 6 to raise their respective claims before the 3<sup>rd</sup> respondent and it is open for the 3<sup>rd</sup> respondent to consider the same and take appropriate action in accordance with law and the 3<sup>rd</sup> respondent shall communicate the award, if no award is passed so far, after such consideration so as to enable the parties to avail the remedies open under the statute. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 06.04.2017  
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A.V.SESHA SAI, J

