

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19580 of 2017

ORDER :

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

“to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the 3rd Respondent in not paying the compensation to the petitioner for acquiring his land to an extent of 2-00 gts in Sy.No.492, 493 and 497 situated at Aswapuram Village and Mandal Bhadradi Kothagudem (Erstehile Khammam District) for the purpose of Seetharama Project U/s 4(1) notification was issued on 23-01-2017 on the ground that there is rival claim of the unofficial Respondents as being illegal, arbitrary, and unconstitutional and for other reliefs unconstitutional and violation of Article 21 and 300-A of Constitution of India and consequently direct the Respondent No.3 to pay the compensation equally to the Petitioner and as well as the unofficial Respondents otherwise to refer the matter to civil court and pass such Order or Orders as this Hon’ble Court may deem fit and proper in the interest of justice.”

Heard learned counsel for the petitioner and also learned Government Pleader for Land Acquisition for respondents 1 to 4, before ordering notice to unofficial respondents 5 to 12 and perused the prayer in the writ petition with supporting affidavit and other material on record.

The main grievance of the petitioner is that despite he got right in the subject land along with other unofficial respondents, the official respondents are ignoring his right and entitlement to apportionment of compensation and he also issued legal notice on 03.03.2017 through an advocate by name, Sri B.Pamachandraiah and that was acknowledged by the official respondents.

Having regard to the above and from the submission of learned Government Pleader for Land Acquisition that there is no final award passed so far, the petitioner is directed to submit an application with documentary evidence with regard to his entitlement of apportionment of compensation for the subject land within one week from today and the official respondents shall consider the same, before passing final award.

Accordingly, the Writ Petition is disposed of at the stage of admission. No costs.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

Date: 19.06.2017
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Dr. B. SIVA SANKARA RAO J,

