

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

WRIT PETITION No.3377 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 notification in Rc.No.E-135089/2016/R&R, dated 02.07.2016 under Section 11(1) and subsequent notification dated 22.10.2016 issued under Section 19(1) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by the 2nd respondent to the extent of item Nos. 15 and 16 in respect of total extent of Acr.6.47 cts (to an extent of Ac.4.97 cts and Ac.1.50 cts claimed by respondents No.5 and 6 respectively) in Sy.No. 176/2 of Doramamidi village, Buttaigudem Mandal, West Godavari District as bad, illegal, contrary to the said Act, and also contrary to the order of status quo granted by this Hon'ble Court in W.P.No. 13980 of 2006, dated 11.07.2006 and offends Articles 14, 21 and 300-A of Constitution of India and consequentially to set aside the said notifications to the extent of lands shown at items 15 and 16 for which the petitioners are concerned.”

2. When the matter came up for extension of the interim order granted earlier by this Court, from the submission by the counsel for unofficial respondents 5 and 6 that they filed

counter with vacate petition, the matter is taken up for hearing.

3. From the oral instructions by the learned Government Pleader for Land Acquisition that the authorities are ready to enquire into the matter, the prayer in the present writ petition can be confined to consider for referring the matter to the authorities concerned under the Land Acquisition Act to conduct enquiry of the grievance of the petitioners herein.

4. Having regard to the above, this writ petition is disposed of, directing the respondents 2 and 3 to enquire into the entitlement, if any, of the writ petitioners and also from the rival claims between writ petitioners and respondents 5 and 6 and decide. In the meantime, existing *status quo* ordered as per W.P.M.P.No.4019 of 2017, dated 01.02.2017, extended from time to time, shall be maintained.

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

DR.B.SIVA SANKARA RAO,J

07.06.2017
SS