

The Hon'ble Sri Justice A.V.Sesha Sai

Writ Petition No.8207 of 2017

Date: 10.03.2017

Order:

This Writ Petition is filed for the following substantive relief:

“to issue a Writ or order or Direction in the nature of Writ of Mandamus declaring action of the 2nd Respondent not disposing off the representation dated 15-2-2017 of the petitioners with regard to their land in R.S.No. 39 and 40 situated at P. Narayanapuram Village of Jeelugumilli Mandal though mentioned in the names of respondents 4 to 7 vide Notification ROC No. SA/109/2016, Dated 30-10-2016 is illegal, arbitrary and contrary to provisions of PESA Act and consequently direct the respondents 1 to 3 to pay the compensation to the petitioners with their respective lands.”

Heard the learned Counsel for the petitioners and the learned Government Pleader for respondent Nos.1 to 3. Perused the material available on record.

In the present Writ Petition, the petitioners are disputing the right of respondent Nos.4 to 7 to receive the compensation amount in respect of the subject property.

It is submitted by the learned Government Pleader, on instructions, that an award has not been passed so far in respect

of the subject properties and that it is open for the petitioners as well as the unofficial respondents herein to raise their claims before the authorities under Act 30 of 2013.

Having regard to the submissions made by the learned Counsel for the petitioners and the learned Government Pleader, this Court is of the considered opinion that the ends of justice would be served, if the petitioners as well as the unofficial respondents are permitted to raise their claims before the respondent authorities with regard to their right over the property.

For the aforesaid reasons, the Writ Petition is disposed of keeping it open to the petitioners as well as the unofficial respondents herein 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.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous. No order as to costs.

(A.V.Sesha Sai, J)

Dt: 10th March, 2017
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