

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

WRIT PETITION No.4897 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, order or direction more particularly one in the nature of Writ of Mandamus under Article 226 of the Constitution of India directing the respondent Nos.3 and 4 to strictly adhere to the notification issued by them dt.28-11-2015 and the Notification in Form No.VII dt. nil issued in respect of Bedadanuru Village, Reddyganapavaram Panchayat, Buttayagudem Mandal, West Godavari District, Andhra Pradesh and consequently reject the claims of the tribals of Reddyganapavaram village after causing a thorough investigation as per law.”

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Land Acquisition for the respondents.

3. According to the petitioners they are the native residents of Bedadanuru village of Reddyganapavaram panchayat, Buttayagudem Mandal, West Godavari District and are hailing from the tribal community. It is further stated that they were assigned lands to an extent ranging from Ac.1-00 to Ac.5-00 in the year 1987 and ever since they are in possession and cultivating the said lands. A reading of the affidavit filed in support of the writ petition further discloses that the petitioners are disputing the claims of the villagers of Bedadanuru village of Reddyganapavaram panchayat, Buttayagudem Mandal.

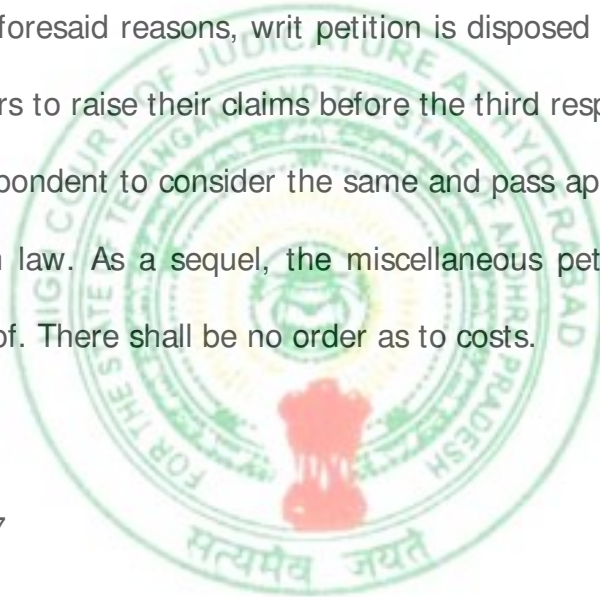
4. On instructions, it is submitted by the learned Government Pleader that the award has not been passed and it is open for the petitioners herein to appear before the third respondent and raise their claims under Act 30 of 2013.

6. Having regard to the submissions made by the learned counsel for the petitioners and the learned Government Pleader for Land Acquisition for the respondents, this Court is of the opinion that the ends of justice would be served if the petitioners are permitted to raise their claim before the third respondent authority with regard to their right over the subject properties.

7. For the aforesaid reasons, writ petition is disposed of, keeping it open for the petitioners to raise their claims before the third respondent. It is open for the third respondent to consider the same and pass appropriate orders, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

Date:01.03.2017
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A.V.SESHA SAI, J



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



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Dated 01.03.2017

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