

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.21620 of 2017

ORDER:

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

“....to issue a writ, order or direction, or particularly, one in the nature of mandamus declaring the action of the respondent authorities in issuing final notification Special Deputy Collector (L.A.) in RC No.BN/37/2016 dt.25-04-2017 under Section 19(1) dated 24.05.2017 issued by the 5th respondent for acquisition of lands of the petitioners in Morampalli village, Burgampadu Mandal, Bhadradi Kothagudem District without considering petitioners objections as per the law and established principles as illegal, arbitrary and unconstitutional and consequently set aside the notification in RC no 5790/2015/G1 under Section 19(1) dated 24.05.2017 while making it clear that the notification mentioned above could not have been issued and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioners and also learned Government Pleader for Land Acquisition appearing for the respondents and perused the prayer in the writ petition with supporting affidavit, Section 19 declaration dated 25/28.04.2017 and also the objections sent through advocate by some of the petitioners on 16.05.2017 by registered post vide receipt No.06341382IN dated 20.05.2017 to the 5th respondent-Land Acquisition Officer/ Special Deputy Collector.

It is the grievance of the petitioners that they submitted objections through registered post on 16.05.2017 to Section 11 notice pursuant to Section 15 of the Act before Section 19

declaration, that the respondent-Authorities are not even considered the same in Section 19 declaration 25/ 28.04.2017 even subsequent to said declaration under Section 19 supra for their entitlement of fair compensation as per the provisions of the Act 30 of 2013 amended by the State of Telangana with the consent of the President of India, subsequently.

Having regard to the above, the Writ Petition is disposed of directing the petitioners to submit their detailed written objections afresh of entitlement to what is the compensation according to them and also their documents of title with reference to the entitlement with participation in the enquiry and on such objections, the respondent-Authorities shall pass a reasoned order, within a period of two months thereafter, meeting the statutory requirements and communicate the same to them, before proceeding further.

Accordingly, the Writ Petition is disposed of.

Miscellaneous petitions if any, pending, shall stand closed.

There shall be no order as to costs.

Dr. B. SIVA SANKARA RAO, J

Date: 13-07-2017

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