

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

WRIT PETITION No.7742 OF 2017

ORDER:

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

“to declare the in action of the respondents in considering the representations dated 28.07.2016 and 08.11.2016 made by this Petitioners is illegal, arbitrary, contrary to the provisions of law by issuing a writ of Mandamus or any other appropriate writ, order or directions to consider the representations dated 28.07.2016, 08.11.2016 made by the petitioners consequently withhold the compensation cheque till pending disposal of the main case and pass.”

2. Heard the learned counsel for the petitioners and learned Government Pleader for Land Acquisition for respondents 1 to 3, apart from perusing the material available on record.

3. In the present writ petition, petitioners are disputing the right of the 4th respondent in receiving compensation amount in respect of the subject property. It is submitted by the learned Government Pleader, on instructions, that award has not yet been passed in respect of the subject property and it is open for the petitioners as well as the 4th respondent to raise their claims before the Authorities under Act 30 of 2013.

4. Having regard to the submissions made by the learned counsel for the petitioners and the learned Government Pleader for Respondents 1 to 3, this Court is of the considered opinion that ends of justice would be served, if the petitioners as well as the 4th respondent are permitted to raise their claims before the respondent authorities with regard to their right over the subject property.

5. For the aforesaid reasons, this writ petition is disposed of, keeping it open to the petitioners as well as the 4th respondent to raise their respective claims before the 2nd respondent and it is open for the 2nd respondent to consider the same and pass appropriate orders, in accordance with law.

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

06.03.2017
SS

A.V.SESHA SAI, J