

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 3297 OF 2011

ORDER:

The Writ Petition is filed questioning non-payment of compensation awarded pursuant to the notification issued under Section 4(1) of the Land Acquisition Act, 1894. The claim of the petitioners is limited to the extent of Ac.0.82 cents in Survey No. 173/2, Block No. 5 of Gazireddypalem Village, Z.Chintuva Sivaru, Rambilli Mandal, Visakhapatnam District.

The petitioners themselves have stated that when they had approached the Land Acquisition Officer, they were informed that compensation was not paid on account of the stay orders granted by the High Court in Writ Petition No. 30276 of 2010. In the counter-affidavit filed by the Land Acquisition Officer, the said aspect has been admitted. It is also further stated that there are rival claimants by name Sri Yeripalli Danayya and Sri Yeripalli Demudu, who filed Writ Petition No. 30276 of 2010 claiming compensation with respect to the land over an extent of Acs.2.70 cents in Survey No. 173/2, Block No. 5 of Z. Chintuva Village. It is further asserted in the counter that if any dispute arises with respect to the title of the land in question, the cases would be referred to the civil Court under Sections 30 and 31(2) of the Land Acquisition Act and the amounts in such cases would not be paid to any third party. On verification, this Court finds that Writ Petition No. 30276 of 2010 was decided on 26.09.2016 directing the 4th respondent therein i.e. Land Acquisition Officer-cum-Special Deputy Collector to consider and decide in accordance with

law the claim of the petitioners for awarding compensation for the land acquired, within eight weeks from the date of receipt of a copy of the order.

In those circumstances, there shall be a similar direction in the present Writ Petition also, if the claim of the petitioners has not already been disposed of by the 4th respondent.

Subject to the above, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

06th June 2017

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