

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.28782 OF 2017

ORDER:

This writ petition is filed challenging the action of the respondents 1 to 4 in depositing the amount of compensation in the accounts of respondents 6 to 9 at the fifth respondent Bank at Kukunuru in respect of the lands of Acs.0.17 guntas in R.S.No.7 and Acs.3.17 guntas in Sy.No.135 situated at Maredubaka Village of Kukunuru Mandal, pursuant to the Notification dated 04.10.2016 without considering the claim of the petitioner.

In spite of a direction to the petitioner to serve notice on the respondents 6 to 9, no steps were taken. However, learned Government Pleader, on the basis of written instructions, submits that the petitioner earlier filed W.P.No.45102 of 2016 and the same was disposed of on 14.02.2017 giving liberty to the petitioner to raise his claim before the Land Acquisition Officer. The Land Acquisition Officer issued a common notice on 22.03.2017, the petitioner and the unofficial respondents have attended the enquiry, but the petitioner did not produce any documentary evidence to substantiate his claim over the properties. The compensation was awarded in favour of respondents 6 to 9 and payments were also made on 29.03.2017 and 30.03.2017.

In the affidavit filed in support of the writ petition, though the petitioner admitted with regard to the order dated 14.02.2017 passed in W.P.No.45102 of 2016, by this Court, he states that he was unable to contact his counsel with regard to the said copy of the order. He states that thereafter he submitted objections enclosing the documents to show that he is the owner of the lands. The petitioner did not state with regard to his presence on 24.03.2017 in the enquiry.

In the circumstances, this writ petition is disposed of giving liberty to the petitioner to submit proper application to the Collector for referring his claim to the competent Authority appointed under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed. There shall be no order as to costs.

04.10.2017
pln

A.RAMALINGESWARA RAO, J

