

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

W.P.No.6414 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 to declare the inaction of the respondents 2 to 4 to consider the claim / objection dated 13.06.2016 of the petitioners by passing land acquisition compensation award in their favour in respect of their share among the respondents 5 to 7 of their notified properties i.e. to an extent Ac.0.20 cents in Sy.No.12/1, Ac.5.99 cents in Sy.No.12/2, Ac.1.87 cents in Sy.No.12/3, Ac.3.00 in Sy.No.14/1, Ac.4.00 in Sy.No.16/1, Ac.0.25 cents in Sy.No.27/2, Ac.1.74 cents in Sy.No.27/3A, Ac.0.86 cents in Sy.No.28/7A and Ac.0.85 cents in Sy.No.33/1 all are situated at Jallivarigudem Village V.R.Puram Mandal, East Godavari District. as illegal, arbitrary and violative of principles of natural justice as well as violative of U/s 15 of the Land Acquisition Act 30 of 2013 and consequently direct the respondents 3 & 4 to consider the claim/objection dt. 13.06 .2016 of the petitioners and pass an award in their favour among the respondents 5 to 7 and to deposit the award amount in their personal bank account”.

2. Heard the learned counsel for the petitioners, the learned Government Pleader appearing for Respondents 1 to 4 and the learned counsel appearing for Respondents 5 to 7, apart from perusing the material available on record.

3. In the present Writ Petition, the petitioners herein are disputing the rights of respondents 5 to 7 in receiving compensation amount in respect of the subject properties. It is submitted by the learned Government Pleader, on instructions, that award has not yet been passed in respect of the subject properties and it is open for the petitioners as well as respondents 5 to 7 to raise their claims before the Authorities under Act 30 of 2013.

4. Having regard to the submission made by the learned counsel for the petitioners, the learned Government Pleader for Respondents 1 to 4 and the learned counsel for respondents 5 to 7, this Court is of the considered opinion that ends of justice would be served if the petitioners as well as respondents 5 to 7 are permitted to raise their claims before the Respondent authorities with regard to their right over the property.

5. For the aforesaid reasons, the Writ Petition is disposed of, keeping it open to the petitioners as well as respondents 5 to 7 to raise their respective claims before the 4th respondent and it is open for the 4th respondent to consider the same and pass appropriate orders, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 17.4.2017
DA



A.V.SESHA SAI, J

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

W.P.No.6414 of 2017



17.4.2017

DA