

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.27038 of 2017

ORDER:

Heard learned counsel for petitioner and learned Government Pleader for respondents.

The petitioner states that he purchased the house site admeasuring 282 Sq.yds on 30.07.2006 and subsequently constructed a three storied RCC building with a space of 131.25 Sq.mtrs for the ground floor, 131.25 Sq.mtrs for the first floor and 65.63 Sq.mtrs for the second floor and the construction was completed in the year 2010. Each floor is having two bed rooms respectively. He is getting monthly rent of Rs.8,000/- and 5,000/- for the ground and second floor respectively. While so, a notice dated 05.06.2017 was served on him stating that the property is required for the purpose of Rail Over Bridge and accordingly a notification was issued under Section 15 (2) read with Rule 21 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The petitioner states that pursuant to the notification issued under Section 11 (1) of the Act 30 of 2013 dated 17.02.2017, he submitted his objection on 28.06.2017 stating that the present value of the site is Rs.37,500/- per Sq.yd which comes to Rs.3,00,000/- per Ankanam and sought for compensation for the constructed area of 328.13 Sq.mtrs. Further, he filed cross objections on 30.06.2017 wherein he states that those authorities are going

ahead with the acquisition and issued a notice under Section 19 (1) of the Act 30 of 2013.

A perusal of the objections filed by the petitioner show that he was not objecting the acquisition of land and building but he is seeking payment of proper compensation for the land and building.

In view of the same, the authorities are directed to consider the same at the time of fixing compensation for the land acquired and pay appropriate compensation in accordance with law. If the petitioner is not satisfied with the compensation, it is open to him to take appropriate legal proceedings.

Accordingly, the Writ Petition is disposed of.

The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

11.08.2017
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