

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

WRIT PETITION No. 6923 of 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“... to issue a order, direction or writ more particularly one in the nature of writ of mandamus to direct the 2nd respondent to consider the representation/objections dated 31.10.2016 filed by the petitioner in pursuant to the publication of Form No.VII dated 07.10.2016, issued under provisions of the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013) and to pay compensation to the petitioner in respect of the subject property in Sy.Nos.542, 548 and Sy.No.589 to an extent of Ac.0.01 gts., Ac.0.01 gts and Ac.0.22 gts respectively situated Kukunoor village and mandal of West Godavari District, Andhra Pradesh.”

2. Heard the learned counsel for the petitioner, learned Government Pleader appearing for respondent Nos. 1 to 3 and learned counsel appearing for respondent No.4, apart from perusing the material available on record. .

3. In the present Writ Petition, the petitioner herein is disputing the right of respondent No.4 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 petitioner as well as respondent No.4 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 petitioner, the learned Government Pleader for respondent Nos. 1 to 3 and the learned counsel for respondent No.4, this Court is of the considered opinion that ends of justice would be served if the petitioner as well as respondent No.4 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 petitioner as well as respondent No.4 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. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 20.04.2017
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