

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

WRIT PETITION No.7582 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the official respondents in trying to disburse the land compensation amount of acquisition of the petitioner's land an extent Ac. 5.20 Gts., in Sy.No. 394/Aa, and admeasuring Ac. 0.30 Gts., in Sy.No. 194/Aa situated at Sridhara Velair Village, Kuknoor Mandal, West Godavari District to the unofficial respondents as illegal, arbitrary, unreasonable, and consequently direct the official respondents not to disburse the compensation of the land acquisition amount till the adjudication of dispute between petitioner and unofficial respondents and pass.”

2. Heard the learned counsel for the petitioners, learned Government Pleader for Land Acquisition for respondents 1 to 4 and Sri N.Chanti Babu, learned counsel for the respondents 5 and 6, apart from perusing the material available on record.

3. In the present writ petition, petitioners are disputing the right of respondents 5 and 6 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 and 6 to raise their claims before the Authorities under Act 30 of 2013.

4. Having regard to the submissions made by the learned counsel for the petitioners, the learned Government Pleader for Respondents 1 to 4 and Sri N.Chanti Babu, learned counsel for the respondents 5 and 6, this Court is of the considered opinion that ends of justice would be served, if the petitioners as well as respondents 5 and 6 are permitted to raise their claims before the respondent authorities with regard to their right over the subject properties.

5. For the aforesaid reasons, this writ petition is disposed of, keeping it open to the petitioners as well as respondents 5 and 6 to raise their respective claims before the 3rd respondent and it is open for the 3rd respondent to consider the same and pass appropriate orders, in accordance with law.

6. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

06.03.2017
SS