

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 3281 of 2017

ORDER:

1) The present writ petition came to be filed with the following prayer:

“to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the third respondent in not referring the matter to Authority as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in spite of petitioner's objection made on 07.01.2017 covered under Final Notification issued vide Rc.No.E-126420/ 2016 R & R dated 07.10.2016 published in Andhra Jyothi daily Newspaper in respect of lands admeasuring Ac.1.00 in Sy.No.549 and Ac.1.00 in Sy.No.551 situated at Kukunuru Village and Mandal, West Godavari District and trying to pay the compensation amounts of land in question in favour of respondent No.4 herein, is arbitrary, illegal and violative of Articles 14 and 300-A of the Constitution of India; and consequently direct respondent No.3 to refer the matter to the authority by duly depositing the entire compensation amount in respect of land in question.”

2) It is represented by the learned counsel for the petitioner that the issue involved in the writ petition is squarely covered by an order of this Court, dated 14.03.2016, rendered in W.P.No.46105 of 2016. The same is not disputed by the learned Government Pleader for Land Acquisition.

3) In that view of the matter, following the order dated 14.03.2016 passed in W.P.No.46105 of 2016, this writ petition is disposed of giving liberty to the petitioner and to the respondent No.4, to raise their respective claims before the third respondent, in which event the same shall be considered in accordance with law. There shall be no order as to costs.

4) Miscellaneous petitions, pending if any, shall stand closed in the light of this final order.

27.04.2017

Note: Registry is directed to attach copy of the order, dated 14.03.2016 in W.P.No.46105 of 2016 to this order.

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JUSTICE C.PRAVEEN KUMAR

