

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

Delivered on :15-06-2017

Coram :

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

APPEAL SUIT No.781 of 2004

Between:

The Land Acquisition Officer and
Special Deputy Collector,
Y.R.P. Unit – III, Peddapuram,
East Godavari District.

Appellant/respondent

Vs.

1. Patta Appanna S/o. Sanyasi, Neelipaku, and others.

Respondents/claimants

Counsel for the appellant : G.P. for Appeals (A.P.)

Counsel for the respondents :



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

A.S.No.781 of 2004

JUDGMENT: (Per Hon'ble Sri Justice V. Ramasubramanian)

Aggrieved by the enhancement of compensation granted by the reference Court from Rs.18,000/- per acre for dry wet land and Rs.12,000/- per acre for dry land, to Rs.50,000/- per acre for dry wet land and Rs.40,000/- per acre for dry land, the Land Acquisition Officer has come up with the above appeal under Section 54 of the Land Acquisition Act, 1894.

2. Heard the learned Government Pleader for Appeals (A.P.).

3. An extent of Ac.1.00 in Sy.No.714 and Ac.1.75 cents in Sy.No.715 of Kambalapalaem village hamlet of J. Annavaram Village, covered by these O.Ps, was acquired by the Government for the very same purpose of submersion under Yeleru Reservoir project. After taking note of certain registration statistics obtained from the Sub-Registrar, the Land Acquisition Officer fixed the compensation as above.

4. Not satisfied with the above order, the land owners sought a reference. By a judgment dated 07.03.2000 passed in L.A.O.P.Nos.64 of 1991 and 22 of 1996, the reference Court enhanced the compensation to Rs.50,000/- per acre for dry wet land and Rs.40,000/- per acre for dry land. It is against the said judgment the present appeal is filed.

5. In respect of the very same Yeleru Reservoir Project, other lands were also acquired and Awards have been passed. As against one of those Awards that became the subject matter of a reference in O.P.No.22 of 1996, an appeal was filed before this Court in A.S.No.1088 of 2004. In that case also, Section 4(1) notification was issued on 03.09.1987 as in this case. The lands were located in the very same locality. A Bench of this Court by order dated 09.09.2014 confirmed the judgment of the reference Court fixing the market

value at Rs.50,000/- per acre for dry wet land and Rs.40,000/- per acre for dry land. Therefore, following the same ratio this appeal is also dismissed.

6. As a sequel, miscellaneous petitions pending in this appeal, if any, shall stand closed. There shall be no order as to costs.

JUSTICE V. RAMASUBRAMANIAN

JUSTICE N. BALAYOGI

15th June, 2017
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

APPEAL SUIT No.781 of 2004

(Per VRS,J)



15th June, 2017
Js.