

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

**WRIT PETITION No.5680 of 2017**

**ORDER:**

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

*“to issue an order or direction more in the nature of mandamus to declare the action of the 3rd respondent in trying to release the compensation amount in favour of the respondents 5 to 7 in respect of the land in Sy.NO.407 to an extent of Ac.2-09 situated at Sridharaveleru Village, Kukunoor Mandal West Godavari Dist., without considering the petitioner's representation dt:23-8-2016 as illegal, arbitrary, and violative of principles of natural justice and consequently direct the 3rd respondent to refer the matter to a competent authority under Sec.76 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”*

2. Heard the learned counsel for the petitioner and learned Government Pleader for Land Acquisition for respondents 1 to 4, apart from perusing the material available on record.

3. In the present writ petition, petitioner is disputing the right of respondents 5 to 7 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 respondents 5 to 7 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 and the learned Government Pleader for Respondents 1 to 4, this Court is of the considered opinion that ends of justice would be served if the petitioner as well as respondents 5 to 7 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 respondents 5 to 7 to raise their respective claims before the 3<sup>rd</sup> respondent and it is open for the 3<sup>rd</sup> 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. There shall be no order as to costs.

March 14, 2017

PN

**A.V. SETHA SAI, J**

**THE HON'BLE SRI JUSTICE A.V. SSHA SAI**



**WRIT PETITION No.5680 of 2017**

March 14, 2017