

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19810 OF 2017

ORDER:

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

“to issue writ or direction preferably writ of mandamus declaring the action of the 4th respondent in not passing the orders on the objection petitions disputing the right of the 6th respondent and seeking to refer the matter to competent authority under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and trying to pay the compensation amount in favour of 6th respondent without issuing any prior notice to the petitioner in respect of the land in Sy.NO.396 to an extent of Ac.4- 26 gts situated at Sridhara Veleru Village, Kukkunoor Mandal of West Godavari Dist., illegal, arbitrary, and violative of principles of natural justice and contrary to the orders passed in W.P.No.42/2017 dt:30-3-2017 and consequently direct the 4th respondent to refer the matter to the authority under the act in respect of the subject land, and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioner and also the learned Government Pleaders for Land Acquisition and Finance, representing the official respondents 1 to 5, before ordering notice to the unofficial respondent No.6 and perused the prayer in the writ petition with supporting affidavit and the other material on record.

3. When the matter is called, learned Government Pleader for Land Acquisition, has placed on record the written instructions dated 19.06.2017 submitted by the Sub-Collector & Land Acquisition Officer, Kukunoor, West Godavari District and as per the said written instructions, the petitioner did not produce any record to claim any right of compensation in any manner over the property. In fact along with the writ petition page No.18 speaks the 1-B register, a permanent document standing the petitioner as pattedar leave about the continuous adangal/pahanee entries of his possession and enjoyment.

4. Having regard to the above, the writ petition is disposed of, directing the petitioner to approach the respondent with fresh representation immediately, within one week from the date of receipt of a copy of this order, by enclosing the documents by mentioning as specific enclosures to the representation and submit the same and respondents shall pass appropriate orders for his any entitlement on merits and any payment of compensation to the unofficial respondents is subject to risk of the respondents meantime.

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

DR.B.SIVA SANKARA RAO,J

21.06.2017

*Note: issue C.C. by tomorrow.
B/o.SS*