

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

WRIT PETITION No.17945 OF 2017

ORDER:

This Writ Petition is filed by the petitioner with the prayer which reads as follows:-

“to issue a Writ, order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in not referring the matter to civil court under Section 30 of the Old Act and Section 76 of the New Land Acquisition Act inspite of the petitioners representation dated 27.04.2017 in connection with the petitioner lands situated in Sy No. 330/9 to an extent of Ac. 11.13 gts situated at Seetharamnagar revenue Village, Kukkunoor Mandal, West Godavari District, inspite of the ROR appeal pending before the 4th respondent without showing the petitioner name in the Land Acquisition Notification and trying to pay the compensation amounts in favour of the respondents 6 and 7 in respect of the land in question is illegal and void and opposed to Article, 14, 19, 21 and 300-A of Constitution of India and consequently to direct the respondents 1 to 6 to refer the matter to the civil court by depositing the entire compensation amount in respect of the land in question and to pass such other order or orders in the interest of justice.”

2. Heard learned counsel for the petitioner and the learned Govt. Pleader for Land Acquisition representing respondents 1 to 3.

3. When the matter is called, it is submitted by the learned Government Pleader that there are two daily newspaper publications, Gazette and in the locality regarding calling for objections with respect to the notification to participate in the enquiry to be conducted after 60days from the date of respective publication and gazettes and the time is still prevailing to comply with the objections.

4. Having regard to the above, the writ petitioner can put forth his grievance with supporting material by filing objections and the prayer in the writ petition not to disburse compensation is premature as that stage is not even reached but for calling for objections and conducting enquiry as to who are entitled to compensation to be determined to pay.

5. Accordingly, this writ petition is disposed of. Any further grievance of the petitioner is left open. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO,J

09.06.2017

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