

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION Nos.19359 and 19470 of 2017

COMMON ORDER:

The Writ Petition 19359 of 2017 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 respondents 2 and 3 in not considering the Objection petition (representation) of the petitioner dated 27.02.2017 with regard to payment of compensation for the lands in Sy.No.132/48/A, to an extent of Ac.2.08guntas, and already submerged lands of the Petitioner joint family possession and enjoyment to an extent of Ac.2-00 total Ac.4.08guntas situated at Cheeravalli Revenue Village, Kukururu Mandal, West Godavari District respectively is illegal, arbitrary unconstitutional and consequently direct the respondents 2 to 6 not to pay/disburse the compensation to the respondent No.7 in respect of the above mentioned lands of the petitioner and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

The Writ Petition 19470 of 2017 is filed by the petitioners 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 respondents 2 to 4 in not considering the Objection petition (representation) of the petitioners dated 07.06.2017 with regard to payment of compensation for the lands in Sy.No.168/2A, to an extent of Ac.2.30guntas situated at Swarnavrigudem village, Jeelugumilli Mandal, West Godavari District is illegal, arbitrary unconstitutional and consequently direct the respondents 2 to 4 not to pay/disburse the compensation to the respondent No.5 in respect of the above mentioned lands of the petitioners and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Heard the learned counsel for the respective petitioners in both the Writ Petitions and also the learned Govt. Pleader for Land Acquisition representing the official respondents 1 to 5 in W.P.No.19359 of 2017 and 1 to 4 in W.P.No.19470 of 2017 before ordering notice to unofficial 5th respondent in W.P.19470 and

unofficial 7th respondent and the bank-R.6 in W.P.No.19359 of 2017, and the learned Govt. Pleader from oral instructions and perused the respective prayers in the Writ Petitions and material on record.

The grievance of the respective petitioners (petitioner in W.P.No.19359 of 2017 and petitioners in W.P.No.19470 of 2017) is that despite their entitlement, the official respondents, including their entitlement to compensation, were choosing to pay compensation to respective unofficial respondents referred supra.

Having regard to the above, both the Writ Petitions are disposed of directing the respective petitioners (petitioner in W.P.No.19359 of 2017 and petitioners in W.P.No.19470 of 2017) to make written representations with enclosures concerned showing their entitlement within one week from the date of receipt of the order. The official respondents concerned shall pass appropriate orders for payment of compensation to unofficial respondents without causing any prejudice to the rights of the entitlement by the respective petitioners.

As a sequel, miscellaneous petitions if any pending in these Writ Petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.22.06.2017,
Note: Copy by (24.06.2017)
b/o. vvr