

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.23994 of 2017

ORDER

This writ petition is filed challenging the action of the 4th respondent in issuing Notification No.298 of 2015, dated 31.8.2015 exempting the provisions of Chapters II and III of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act'), for acquiring land for Greenfield Airport at Bhogapuram Mandal, Vizianagaram District.

The petitioners claim that they purchased an extent of Ac.3-00 of land under GPA-cum-sale coupled with possession *vide* document dated 26.8.2011. The said land was developed and divided into house plots by paying conversion fee. It is the case of the petitioners that an extent of Ac.5300-00 of land is sought to be acquired for the purpose of establishing the Airport.

It is not known as to whether a declaration was published subsequently or not. However, it is submitted that various extents of lands are being acquired with the consent of the land owners.

The grievance of the petitioners is that being purchasers of land to an extent of Ac.3.00, they are entitled to compensation and for that purpose they submitted a representation on 26.03.2016 to the District

Collector. As on today, no sale deed was executed in favour of the petitioners.

It appears that in the notification dated 31.8.2015 issued under the Act, the names of the original owner were mentioned and the present writ petition is filed claiming compensation to the purchasers of the plots. If that is so, it is open to the petitioners to participate in the award enquiry that takes place pursuant to the declaration, if any. It is needless to observe that the Land Acquisition Officer shall issue appropriate notices to the persons, whose documents were registered in respect of the subject land for participating in the award enquiry along with the persons whose names were mentioned in the notification.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

6th September, 2017

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