

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39138 of 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India, for the following relief:

“To issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus to declare the inaction of the respondents 2 to 4 to consider the representation dt. 23.07.2016 of the petitioner by passing land acquisition compensation award in her favour in respect of her notified properties i.e to an extent Ac.0.13 guntas in Sy.No.41/RU, Ac.1.18 guntas in Sy.No.145/A, Ac.1.24 guntas in Sy.No. 146/A and Ac.2.34 guntas in Sy.No. 169/A which are situated at Kivvaka Village, Kukkunuru Mandal, West Godavari District, AP, as illegal, arbitrary and violative of principles of natural justice as well as violative of the Land Acquisition Act, 30 of 2013 and consequently direct the respondents 2 to 4 to consider the representation dt. 23.07.2016 of the petitioner.”

2. Heard the learned counsel for the petitioner, the learned Government Pleader appearing for Respondents 1 to 4 and the learned counsel appearing for the respondents 5 to 8 apart from perusing the material available on record.

3. In the present Writ Petition, the petitioner herein is disputing the right of the respondents 5 to 8 in receiving compensation amount in respect of the subject properties. It is submitted by the learned Government Pleader, on instructions, that award has not yet been passed in respect of the subject properties and it is open for the petitioner as well as the respondents 5 to 8 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, the learned Government Pleader for Respondents 1 to 4 and the learned counsel for the respondents 5 to 8, this Court is of the considered

opinion that ends of justice would be served if the petitioner as well as the respondents 5 to 8 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 the respondents 5 to 8 to raise their respective claims before the 4th respondent and it is open for the 4th respondent to consider the same and pass appropriate orders, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date:09.03.2017
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A.V.SESHA SAI, J

THE HON'BLE SRI JUSTICE A.V.SESHA SAI



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Dated: 09.03.2017

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