

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

W.P.No.1226 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 respondent nos.2 and 3 in seeking to release compensation in favour of the respondent no.5 for acquisition of land admeasuring Ac.2-21 cents in Sy. No. 531 situated at Kukkunoor (V&M) West Godavari District pursuant to the land acquisition notification R.c.no.E-126420/2016/R&R dt.23-6-2016 issued for the Polavaram Irrigation Project as, illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondent nos.2 and 3 to release compensation to the petitioners in respect of the said land.”

2. Heard the learned counsel for the petitioners, the learned Government Pleader appearing for Respondents 1 to 4 and the learned counsel appearing for the respondent No.5 apart from perusing the material available on record.

3. In the present Writ Petition, the petitioners herein are disputing the right of the respondent No.5 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 petitioners as well as the respondent No.5 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 petitioners, the learned Government Pleader for Respondents 1 to 4 and the learned counsel for the respondent No.5, this Court is of the considered opinion that ends of justice would be served if the petitioners as well as the

respondent No.5 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 petitioners as well as the respondent No.5 to raise their respective claims before the 3rd respondent and it is open for the 3rd 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.

A.V.SESHA SAI, J

Date:09.03.2017
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI



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Dated: 09.03.2017

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