

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.25189 of 2017

ORDER

This writ petition is filed for the following relief:

“... to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 in issuing the notice dated 26.09.2015 referring the matter of petitioners to the Authority u/s.77(2) read with 37(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, without any valid reasons as illegal, arbitrary and in violation of Articles 14, 19,21 and 300-A of Constitution of India, and consequently set aside the same, and consequently direct the respondent No.3 to take necessary steps to pay the Award amount forthwith to the petitioners in pursuant to the Award No.7/15 in File No.B/1530/2012, dated 26.09.2015 of the 3rd respondent, and pass such order or orders as may deem fit and proper in the circumstances of the case.”

Learned Government Pleader, based on written instructions, submits that the award was passed way back on 26.09.2015 and in the Award enquiry, the petitioners appeared before the Land Acquisition Officer, but they did not file any documentary proof in support of their claim. The 4th respondent in the writ petition appeared before the Land Acquisition Officer and stated that O.S.No.281 of 2014 is pending on the file of the Junior Civil Judge, Karimnagar and another case is also pending before the Revenue Divisional Officer in file No.K/11351/2014

with regard to location of Sy.Nos.501 & 511, and requested to take appropriate action with regard to payment of compensation. In those circumstances only, the matter was referred to the competent authority and the awarded amount in respect of Sy.Nos.501 & 511 is ordered to be deposited before the authority.

In view of the above circumstances, the petitioners can approach the authority under Section 77(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and represent their case for receiving the compensation amount. It is needless to observe that the authority shall consider the claim of the petitioners as expeditiously as possible, but not later than six months from the date of receipt of a copy of this order.

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

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

2nd August, 2017
rkk

