

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 38064 OF 2017

ORDER :

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

It is the case of the petitioners that the 2nd respondent has issued paper publication in Andhra Jyothi daily newspaper in Form No.VI(a), dated 06.07.2017, wherein a proposal was made for acquisition of lands in Nallakunta village i.e., an extent of Ac.0.88 cents in Sy.No.8/1, Ac.1.55 cents in Sy.No.8/5, Ac.0.60 cents in Sy.No.9/2 and Acs.4.95 cents in Sy.No.9/3, which were shown as belonging to their junior paternal uncle i.e., Venkata Subba Rao. That the said Venkata Subba Rao died three months ago and the respondents 6 and 7 are his sons. The petitioners have filed objections to the Form VI(a) notification dated 06.07.2017 before the Special Deputy Collector-3rd respondent on 01.11.2017. Petitioners were issued notice on .10.2017 and they were asked to attend office of the 3rd respondent on 01.11.2017 along with necessary documents.

Learned counsel for the petitioners submits that though the petitioners filed objections on 01.11.2017 along with necessary documents, the 3rd respondent has not considered the same till date.

Learned Assistant Government Pleader for Land Acquisition, produced written instructions stating that the

dispute was only with regard to apportionment and declaration under Section 19 (1) of the Act of 2013 was submitted to the Special Collector (Land Acquisition) Polavaram Irrigation Project and the same was approved. He also submits that the petitioner and unofficial respondents attended enquiry on 01.11.2017 with reference to Award enquiry for payment of compensation and the matter is under enquiry and that the Award will be passed by duly considering the documents filed by the petitioners as well as respondents 6 and 7 in due course.

Since it is stated that the enquiry is under consideration before the 3rd respondent, without expressing any opinion on the merits of the case, the 3rd respondent is directed to consider the objections of the petitioners along with objections, if any, filed by the unofficial respondents and pass Award in accordance with law. It is for the petitioners to submit all the necessary documents in respect of their claim, if not already filed submitted. Till passing of Award by the 3rd respondent, the amounts shall not be released.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

A.RAJASHEKER REDDY,J

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Date: 13.11.2017

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