

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.42667 of 2017

ORDER :

This writ petition is filed with the following prayer:

“ ...to issue a Writ, order or direction more particularly one in the nature of writ of *mandamus* declaring the inaction of the respondents in not paying the ex-gratia to the petitioners on par with others as per G.O.Ms.No.243 (ii) Revenue (Land Acquisition) Department dated 27.3.2010 of Dr.K.L.Rao Sagar (Pulichintala) Project Unit-III is illegal, arbitrary and violation of Article 14 & 16 of Constitution of India and discriminatory and consequently direct the respondents to pay the ex-gratia to the petitioners which is equivalent to the market value on par with others in terms of endorsement of the 2nd respondent in proceedings No.Spl.Reg.No.12/2017, dt.24.11.2017 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

The case of the petitioners is that they are farmers and the 1st petitioner is having agricultural land in Sy.No.210/30 an extent of Ac.1.00 and the 2nd petitioner is having total extent of Ac.1.71 cents of land in Sy.Nos.210/35-3 B and 210/36-3. While so, the Government of A.P., for the purpose of construction of Pulichinthala Project, conducted a survey of lands that would be submerged in the project area and in the process, the 2nd respondent submitted a report in the year 2008 stating that the petitioners are in possession and enjoyment of land (AWD) which is unobjectionable. Possession of their lands was taken over for construction of the said Project, but no compensation was granted to them though they are entitled for compensation in terms of G.O.Ms.No.243 dated

27.3.2010 without reference to earlier G.O.Ms.No.19 dated 30.1.2009. Aggrieved by the same, the present writ petition is filed.

Learned Assistant Government Pleader for Land Acquisition submitted that without approaching the authorities the petitioners straight away approached this Court. Learned counsel for the petitioners submits that the petitioners may be permitted to make a representation before the authorities seeking redressal of their grievance.

In view of the above, the writ petition is disposed of granting liberty to the petitioners to make a representation to the competent authority and the said competent authority is directed to consider the same and pass orders in accordance with law. No costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

15th December, 2017

Tsr

A. RAJASHEKER REDDY, J

