

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40916 OF 2017

O R D E R :

The case of the petitioners is that they are the absolute owners, possessors and enjoyers of landed property of different extents, covered by different survey numbers in Pragadapalli Village of Polavaram Mandal, West Godavari District, having acquired the same, from their predecessors-in-interest for the past more than several years. While so, the 2nd respondent issued notification dated 07.05.2015 in Form VI A under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (*for short 'the Act'*) and rules framed there under for acquisition of the subject land. Thereafter, the 2nd respondent issued notification dated 27.07.2015 in Form VII under Section 19(1) of the Act, thereby confirming the properties acquired for the public purpose i.e. for construction of Indrasagar (Polavaram) Project. The petitioners along with other land owners who are affected under the said notification, raised their objections during Grama Sabha conducted by the 3rd respondent. Without considering the same, the 3rd respondent passed award dated 28.08.2015, fixing the compensation at the rate of Rs.2,50,000/- per acre. Being not satisfied with the said amount, the petitioners issued legal notices dated 20.09.2016 to the respondents 2 and 3, requesting to refer the matter to

the authority under Section 64 of the Act for enhancement of the compensation. As no action is being taken, present writ petition is filed.

Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Land Acquisition submits that except issuing legal notice, petitioners have not filed any documents.

In view of the above facts and circumstances, it is open for the petitioners to file necessary documents, and on such filing the 2nd respondent is directed to consider the notice issued by the petitioners in terms of Section 64 of the Act and take action by referring the matter to the competent authority constituted under Section 51 of the Act for enhancement of compensation, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

06.12.2017
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