

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4371 OF 2018

ORDER:

To declare the inaction of the respondents in considering the Application filed by the petitioners dated 31.10.2016, as illegal and arbitrary, this Writ Petition is filed.

Vide Application dated 31.10.2016, the petitioners sought to refer the matter to the Competent Authority, under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (for short, 'the Act') for re-determination of the market value for the respective extents of their land in R.S.No. 158 situated at Kesaram Village, Bhongir Mandal and R.S.Nos. 588/14 and 588/1 situated at Timmapur Village, Atmakur Mandal of Yadadri-Bhongir District which were acquired for the purpose of excavation of Dr.B.R. Ambedkar Pranahita-Chevella Sujala Sravanthi Lift Irrigation Scheme.

Heard learned counsel for the petitioners.

Learned Government Pleader for Land Acquisition (Telangana) assures this Court that the Application of the petitioners will be referred to the Authority constituted under Section 51 of the 2013 Act within two weeks.

Here it is to be noted that when the market value determined is not acceptable, the petitioners have every right to seek reference of the matter for re-determination, under Section 64 of the Act, to the Competent Authority, who shall consider the same in accordance with the provisions under Section 73.

In that view of the matter and also recording the assurance held out by the learned Government Pleader, this Writ Petition is disposed of directing the respondent authorities to refer the matter under Section 64 of the Act, within two weeks from the date of receipt of a copy of this order, for re-determination of the market value, to the Competent Authority constituted under Section 51, who shall consider the same in accordance with the provisions contained under Section 73 of the 2013 Act.

Consequently, the miscellaneous Applications, if any shall stand closed.

14th February 2018

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CHALLA KODANDA RAM, J

