

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.24181 of 2017

ORDER:

Petitioners claim that they are tribals and were issued D-Form pattas in respect of small extents of land in different survey numbers of Buttaigudem Village and Mandal, West Godavari District. Their grievance is that their lands were acquired without giving any notice and the same is in violation of the provisions of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970. Hence, this writ petition.

Learned Government Pleader for Land Acquisition placed before this Court the written instructions, dated 09.08.2017, received from the R&R Officer & Project Officer, ITDA, West Godavari District, wherein it is stated that land to an extent of Acs.1009.23 cents in various survey numbers was notified for acquisition under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2013 (for short 'the Act') and thereafter, an Award came to be passed on 25.02.2017 vide Award No.1/2016-17; that the petitioners have not filed any objections before the Land Acquisition Officer and that the award amount has to be paid to the respective claimants.

A perusal of the averments mentioned in the writ affidavit as well as the written instructions submitted by the learned Government Pleader discloses that the petitioners and the respondents have not furnished the details as to the land in question. In the absence of such details, no relief can be granted in favour of the petitioners at this stage. However, considering the specific assertion of the petitioners that they are tribals and not well-versed with the procedural aspects, particularly in the interests of justice, the writ petition is disposed of giving liberty to the petitioners to obtain copies of the notification issued under Section 11 of the Act and the Award, dated 25.02.2017, and thereafter, take necessary steps, if they are aggrieved, either by filing a fresh writ petition or by approaching the competent authority in terms of Section 64 of the Act.

Miscellaneous Petitions, if any pending shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:23.04.2018

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