

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22582 OF 2007

ORDER

1. This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in not taking into consideration the objections raised by the petitioners in disbursing the amounts to the claimants in respect of the lands acquired in Sy.No.399 in Medchal and Sy.Nos.273, 336, 337, 338, 340 and 341 in Dundigal, as arbitrary and illegal, and consequently to direct the official respondents not to disburse the compensation in respect of the said lands in favour of any of the claimants.

2. Heard Smt. D. Pramada, learned counsel for the petitioners and learned Government Pleader for Land Acquisition.

3. It is the case of the petitioners that they are the children of late R. Ramasatyanarayana and R. Andamma, who are the owners of the land in question, and their parents died intestate leaving behind the petitioners as well as the unofficial respondents as their legal heirs, and when the official respondents intended to acquire the said land and while they were taking steps to pay compensation to the unofficial respondents, the present writ petition is filed.

4. Learned Counsel appearing for the petitioners submits that the petitioners have filed a suit for partition viz., O.S.No.664 of 2007 before the District Judge, Ranga Reddy District at L.B.Nagar and therefore, a direction may be given to the official respondents not to disburse the

compensation amount to the unofficial respondents till the said partition suit is decided.

5. Learned Government Pleader for Land Acquisition appearing for the 3rd respondent has contended that the 3rd respondent has not initiated any proceedings to acquire the subject land and that the 4th respondent has acquired the land and the compensation has already been paid to the unofficial respondents.

6. It is stated in the affidavit that the subject land, in respect of which, compensation was already paid to the unofficial respondents was shown as part and parcel of the schedule property in O.S.No.664 of 2007. Since the compensation amount was already paid to the unofficial respondents and since the said suit filed by the parties is pending, the parties are at liberty to seek their remedies therein for apportionment of the compensation paid in respect of the subject land. It is needless to say that the parties should abide by the outcome of the said suit.

7. With these observations, the Writ Petition is closed. No costs. Consequently, miscellaneous petitions pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

12th April, 2018
Rkk/Nn

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

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