

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.10115 OF 2018

ORDER:

This writ petition is filed for the following relief:-

“to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not referring the matter to the Reference Authority for determining the market value in respect of the land of the 1st petitioner in Sy.No.10-A1 (extent Ac.0.31 cents), 100-C1 (extent Ac.0.56 cents), 98-A2 (extent Ac.0.64 cents) and 98-D2 (extent Ac.0.06 cents), petitioner No.2 in Sy.No.100-A (extent Ac.0.30 cents), 100-C1 (extent Ac.0.56 cents), 98-D2 (extent Ac.0.08 cents), petitioner No.3 in Sy.No.100-A (extent Ac.0.30 cents), 100-C1 (extent Ac.0.56 cents), 98-D2(extent Ac.0.08 cents) of Gooty Ananthapuram Village, Peddavaduguru Mandal, as illegal arbitrary and violative of Sec.64 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Ac, 2013 and consequently to direct the 3rd respondent to refer the matter to the Reference Authority in respect of the above lands for determination of the market value and pass such other order or orders may deem fit and proper in the circumstances of the case.”

When the matter is taken up for hearing, a letter bearing Rc.G1/3900/2014, dated.28-03-2018 addressed by the District Collector, Anantapuramu to the office of the Government Pleader for Land Acquisition (AP) is placed on record by the learned G.P for Land Acquisition. The said instructions, to the extent of their relevance, read as under:-

“Sri Chilakala Mallikarjuna S/o Chinna Govindu has made a representation through his counsel on 26-08-2017 with a request to refer the matter to the Land Acquisition Tribunal for higher compensation. In this connection, it is submitted that as per the provisions of National Highways Act, there is no

such aspect involved to refer the matter to the Land Acquisition Tribunal. Instead, there is a provision for considering the plea of the petitioner under Arbitration. However, considering the contents of the petitioners, the representation has been taken on file for consideration of relief urged by the petitioners under Arbitration and necessary action is under process as per the provisions of the National Highways Act.”

In view of the above, the writ petition stands disposed of by placing on record the above written instructions. No costs. Miscellaneous Petitions pending, if any, shall stand closed.

Date: 28.03.2018
TSNR



A.V.SESHA SAI, J