

THE HON'BLE SRI JUSTICE M.GANGA RAO

W.P.No.4732 of 2007

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the action of the respondents in not paying the compensation for the lands acquired for formation Malametta Vagu scheme as per the provisions of the amended Act 68/1984 and also in not implementing the orders of this Court passed in W.P.No.21204 of 1994 and batch, dated 15.07.2004, as illegal and arbitrary.

2. The case of the petitioner is that for the purpose of formation of Malametta Vagu scheme, the respondents-authorities have acquired the agricultural land to an extent of Acs.13.13 cents situated in Sy.Nos.106 to 111 of Itukulagunta Village, Buttayagudem Mandal, West Godavari District, and possession was taken in the year 1979. Further, the case of the petitioner is that despite taking advance possession and passing the Award in the year 1985, the respondents-authorities did not choose to pay the compensation. As such, he along with others filed W.P.No.21204 of 1994 and batch before this Court. This Court by order dated 15.07.2004 directed the petitioners therein to file representations before the concerned authorities seeking payment of compensation and upon submission of such representations, if any, the respondents-authorities are directed to consider and dispose the same within a period of two months thereafter. Thereafter, upon the representation, the respondents-authorities have paid only Rs.73,688/- instead of Rs.3,50,115/- inclusive of additional benefits. Further, the case of the petitioner is that the petitioner

made several representations for payment of remaining compensation, but the respondents-authorities failed to pay the compensation. Hence, the present writ petition is filed.

2. When the matter is listed for 'final hearing' it is brought to the notice of this Court that the counsel for the petitioner Sri Mokkapati Prabhakara Rao is no more. Upon perusal of the proceedings sheet, it is found that despite notices issued to the petitioner on 27.12.2017 and 29.01.2018, no vakalat is filed on behalf of the petitioner as on date.

3. The learned Assistant Government Pleader, Land Acquisition, based on the instructions received through letter in Roc.No.70/2004/A of the Revenue Divisional Officer, Jangareddygudem, dated 19.12.2017 submitted that as per the orders of this Court in W.P.No.21204 of 1994 and batch, the respondents-authorities paid an amount of Rs.3,13,373/- to the petitioner and others under proper acknowledgment and, thus, submitted that the cause in the present writ petition does not survive for adjudication.

4. While placing the letter of the Revenue Divisional Officer, Jangareddigudem, dated 19.12.2017, on record, this writ petition is closed. No order as to costs.

5. Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

M.GANGA RAO, J

14.02.2018
TSNR