

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22145 of 2007

ORDER:

This writ petition is filed seeking a writ of mandamus, declaring the action of the respondents in invoking Section 17 (1)(2) of the Land Acquisition Act (for short "the Act") for acquiring the lands of the petitioner situated in Sy.Nos.112/12A, 112/4B, 112/2B, 112/3B, 105/10B, 105/18B, 105/13B, 105/14B, 105/19A, 105/17B, 104/10B, 104/8B, 104/11B, 104/12B, 103/4A and 103/1B respectively of Kondapeta village, Rajam Mandal, Srikakulam District as illegal, arbitrary and contrary to the provisions of the Act and also seeking a consequential direction to quash the notifications issued under Sections 4(1) and 6 of the Act.

Heard Sri K.V.Subrahmanyam Narusu, learned counsel for the petitioner and the learned Government Pleader for Land Acquisition.

It has been contended by the petitioner that his lands were acquired by the respondents and the award was passed. Pursuant to the award passed, the compensation amount was kept in revenue deposit. The petitioner has contended that the respondents awarded meager amount for the lands acquired and hence he sought enhancement of compensation by referring the same to a competent civil court under Section 18 of the Act. But the respondents are not referring the dispute to the competent civil court.

The learned Government Pleader for Land Acquisition, appearing for the respondents, has raised no dispute or objection.

This court, having considered the rival submissions of both the parties, feels that it is appropriate to direct the respondents to refer the

case of the petitioner to a competent civil court under Section 18 of the Act for enhancement of the compensation, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI, J

Date: 02.04.2018
Dsr

