

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.6967 of 2008

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners requesting to issue a writ of mandamus or any other writ or order declaring that the action of the respondents in not awarding interest on solatium on market value and additional market value from the dates, 15.10.1979 and 04.12.1981, viz. the date of awards, as per the judgments and decrees of the Senior Civil Court, Rajampet, Kadapa District, dated 29.04.1987, in LAOP nos.9, 10, 11, 12, 13, 52, 67, 71, 72 & 73 of 1986 and 4/86, 6/86, 7/86, 8/86, 14/86, 16/86, 17/86, 18/86, 19/86, 20/86, 21/86, 22/86, 23/86, 24/86, 25/86, 26/86, 27/86, 28/86, 29/86, 30/86, 31/86, 32/86, 33/86, 34/86, 35/86, 53/86, 54/86, 55/86, 56/86, 70/86, 74/86, 77/86, 78/86 & 83/86 as illegal, arbitrary and violative of the provisions of Lae.

2. I have heard the submissions of Sri *D.Kodanda Rami Reddy*, learned counsel appearing for the petitioners; of the learned Government Pleader for Irrigation and Command Area Development (AP), appearing for the 1st respondent; and of the learned Government Pleader for Land Acquisition (AP), appearing for the respondents 2 & 3. I have perused the material record.

3. When the matter is taken up for hearing, learned counsel for the petitioners submitted that the subject matter and the issue involved in the writ petition are squarely covered by the decision of a Division Bench of this Court in **Government of A.P., represented by**

its Secretary v. Musalikoppu Janardhan and others¹ and also an order of this Court, dated 16.03.2017, in WP.no.21520 of 2015, which was rendered following the above decision of the Division Bench. He placed on record the copies of the said two orders of this Court rendered in the above said matters.

4. Learned Government Pleader of Land Acquisition submits that the matter may be decided as per the facts of this case.

5. A perusal of the said orders would reflect that the decisions aforementioned squarely cover the subject matter and the issues involved in this writ petition. In view of the settled legal position, which is applicable to the facts of the case, this Court is of the considered view that this writ petition can be disposed of following the Division Bench decision of this Court referred to supra.

6. Accordingly, for the reasons alike as were mentioned in the above said decision of the Division Bench, this Writ Petition is disposed of in terms thereof.

There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE M. SEETHARAMA MURTI

Date: 25th September, 2018

Note: Registry is directed to enclose a copy of the decision of the Division Bench to this order.

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¹ 2009 (2) ALT 402 (D.B.)

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