

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition No.26299 of 2018

Date: 02.08.2018

Between:

Gandra Vijayasaraadhi and another

... Petitioners

and

The State of Telangana
Rep. by its Prl.Secretary
Revenue Dept., Land Acquisition
Hyderabad and 6 others

...Respondents

Counsel for the Petitioners: Mr.P.Vishnuvardhana Reddy

Counsel for respondent Nos.1 to 4: GP for Land Acquisition (TS)

**Counsel for respondent No.5: Mr.J.Srinivasa Rao,
SC for Singareni Collieries Co. Ltd.**

**Counsel for respondent No.7: Mr.J.Anil Kumar,
SC for State Legal Services Authority**

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for the following substantive relief:

“to issue a Writ Order or Direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in not disbursing the requisite compensation amount i.e., a cheque for an amount of Rs.1,02,78,219/- (Rupees One Crore Two Lakhs Seventy Eight Thousand Two Hundred and Nineteen only) for petitioner No.1 and a Cheque for an amount of Rs.58,52,187/- (Rupees Fifty Eight Lakhs Fifty Two Thousand One Hundred and Eighty Seven only) and also interest at 18 percent per annum pursuant to Award passed by the Lok Adalath Bench at Khammam, in Lok Adalat Case No 466 of 2016 in LAOP.No.619 of 2014 on the file of the Hon'ble District Judge, Khammam, dated 30-03-2016, for land to a total extent of Ac.489-04 guntas of land situated at Kommepally Village, Sathupalli Mandal, Khammam District, acquired by Singareni Collieries as illegal arbitrary in violation of Article 14 and 21 of the Constitution of India Land Acquisition Act 1894 and consequently to direct the respondents to immediately disburse the above mentioned compensation with applicable interest immediately forthwith or to consider passing fresh Awards under the Right to fair Compensation and Transparency in Land Acquisition rehabilitation and resettlement Act, 2013.”

Mr.P.Vishnuvardhana Reddy, learned Counsel for the petitioners, has invited our attention to the Division Bench Judgment, dated 30.04.2018, in WP.No.13976 of 2018 and batch and submitted that the issues raised in this Writ Petition are squarely covered by the said Judgment.

Mr.J.Anil Kumar, learned Standing Counsel for the State Legal Services Authority, submitted that in WP.No.21315 of 2017, this Court has ordered *status quo* with respect to disbursement of

the compensation in pursuance of Lok Adalat Award, dated 26.07.2016, in LAOP.No.619 of 2014.

The learned Counsel for the petitioners submitted that though the LAOP in which the Lok Adalat has passed awards is common, separate awards were passed with reference to individual claims and that the awards in respect of which WP.No.21315 of 2017 was filed do not include award No.466 of 2016, which is questioned in this Writ Petition.

On verification of the aforementioned interim order, the learned Standing Counsel for the State Legal Services Authority, has fairly agreed with the submission of the learned Counsel for the petitioners. He has also fairly conceded that the aforementioned Division Bench Judgment, dated 30-04-2018, in WP.No.13976 of 2018 and batch covers this case as well.

In the light of the above, this Writ Petition is allowed as prayed for.

As a sequel, IA.No.1 of 2018, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 2nd August, 2018
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