

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos. 12937 of 2013 & 41876 of 2018

Date : 05.12.2018

Between:

Vikram Krishna Rao S/o Subba Rao
doing cultivation R/o Pamidipadu Village
Korisipadu Mandal Prakasam District & others

Petitioners

And

The Government of Andhra Pradesh
Represented District Collector Prakasam
District at Ongole & others

Respondents

The Court made the following:



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COMMON ORDER:

These two writ petitions are filed praying to grant following reliefs:

WP 12937 of 2013:

“.....to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the Land Acquisition Proceedings including passing of the award No 7/2011-12 dated 18.7.2011 with regard to petitioners lands in Survey Nos 439/1, 439/2, 449/3, 450/1 etc situated at Pamidipadu (Phase I) Revenue Village, Korisipadu Mandal, Prakasam District without following due process of law and without giving us notice and without giving opportunity to participate in the enquiry as arbitrary, illegal, contrary to the provisions of Section 9 and 11 of Land Acquisition Act and in violation of well settled principles of natural justice.....

WP 41876 of 2018

to issue an appropriate Writ or order or direction particularly one in the nature of Writ of Mandamus declaring the land acquisition proceedings in respect of lands situated in Pamidipadu Village, Korisipadu Mandal, Prakasam District Andhra Pradesh in Survey Nos 525/1, 463/2, 513/3, 515/3, 461/3, 540/4, 676/3A, 513/3, 514/4, 511-3, 555-1 and 557-3B belonging to the Petitioners and trying to dispossess the Petitioners from their respective lands without following due process of law as arbitrary illegal without jurisdiction unconstitutional and in violation of well settled principles of natural justice and to pass.....”

2. Petitioners claim to be owners of different extents of land in Pamidipadu village, Korisipadu mandal, Prakasam district. Their lands were sought to be acquired for public purposes under “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013” (Act 30 of 2013). Petitioners allege that without following due process as contemplated by the Act 30 of 2013, their lands were sought to be acquired and the same is illegal.

3. When the matters are taken up for consideration, learned senior counsel Sri Ganta Rama Rao, appearing for petitioners and learned Government Pleader agreed that the writ petitions can be disposed of in terms of the directions issued by learned single Judge of this Court in W.P.No. 14358 of 2013 and batch dated 23.11.2016.

4. Learned single Judge of this Court considered W.P.Nos.14358, 14384 and 14385 of 2013 and by common order dated 23.11.2016 disposed of the writ petitions.

4.1. In W P No. 14358 of 2013 recording the submissions of learned counsel for petitioners therein that petitioners agreed for receiving compensation if paid under the Act 30 of 2013, the writ petition was disposed of without going into the merits of respective submissions.

5. Learned senior counsel for petitioners would submit that petitioners agreed for receiving compensation for the lands belonging to them which were sought for acquisition, if they are paid compensation under the Act 30 of 2013. The said submission is also accepted by learned Government Pleader.

6. In view of the same, writ petitions are disposed of directing the respondents to determine the compensation payable to the petitioners under the Act 30 of 2013 to the extent of lands belonging to them and pay compensation on due verification of their ownership and entitlement. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:05-12-2018
TVK

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