

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.35036 of 2018

28.09.2018

Between:

Mallela Kesava Rao

..Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Land Acquisition,
Secretariat, Hyderabad and others

..Respondents

Counsel for the petitioner: Mr.Aare Venkateswara Rao

Counsel for respondent Nos.1 to 3: Government Pleader for
Land Acquisition (T.S.)

Counsel for respondent No.4: Mr.J.Sreenivasa Rao,
standing counsel for Singareni Collieries Co., Ltd.,

Counsel for respondent No.5: --

Counsel for respondent No.6: Mr.J.Anil Kumar,
standing counsel for 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.13,60,432/- (Rupees thirteen lakhs sixty thousand four hundred and thirty-two only) and also accrued interest pursuant to award passed by the Lok Adalath Bench at Khammam, i.e., in Lok Adalat Case No.502 of 2016 in L.A.O.P.No.619 of 2014 on the file of the Hon'ble District Judge, Khammam, dated 04.04.2016, for land to a total extent of Ac.1.04 guntas in Survey Number 108 of Kommepally Village in Sathupally Mandal of Khammam District acquired by Singareni Collieries as illegal arbitrary in violation of articles 14 and 21 of Constitution of India under Land Acquisition Act, 1894 and consequently direct the 5th respondent to disburse the above mentioned compensation amount with applicable accrued interest immediately forthwith to the petitioner and pass such other order or orders...”

2. Mr.Aare Venkateswara Rao, learned counsel for the petitioner, has invited our attention to the Division Bench Judgment, dated 30.04.2018, in W.P.No.13976 of 2018 and batch, and submitted that the issues raised in this writ petition are squarely covered by the said Judgment.

3. Mr.J.Anil Kumar, learned standing counsel for the Legal Services Authority appearing for respondent No.6, has submitted that in W.P.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 L.A.O.P.No.619 of 2014.

4. The learned counsel for the petitioner has submitted that though the aforementioned L.A.O.P. 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 W.P.No.21315 of 2017 was filed do not include award No.502 of 2016, which is questioned in this writ petition.

5. On verification of the aforementioned interim order, the learned standing counsel for the Legal Services Authority appearing for respondent No.6, has fairly agreed with the submission of the learned counsel for the petitioner. He has also fairly conceded that the aforementioned Division Bench Judgment, dated 30.04.2018, in W.P.No.13976 of 2018 and batch, covers this case as well.

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

7. As a sequel to allowing the writ petition, IA.No.1 of 2018, filed by the petitioner for interim relief stands disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

28th September, 2018
GHN

