

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.3602 OF 2015

ORDER:

Heard Mr.K.Krishna Kishore for petitioner, learned Assistant Government Pleader for Irrigation and Mr.R.V.Nagabhushana Rao for respondents 5 and 6.

The petitioner prays for Mandamus declaring the action of respondent Nos.2 to 4 in paying compensation for acquiring an extent of Acs.4-00 in Sy.No.161 of Garlapadu village, Dharur Mandal, Mahabubnagar District to respondent Nos.5 and 6, as illegal, violative of Article 300-A of the Constitution of India and contrary to the Land Acquisition Act.

The petitioner claims that he alone is entitled to receive compensation for acquiring the extent of Ac.4-00 in Sy.No.161 of Garlapadu village, Dharur Mandal, Mahabubnagar District. Respondent Nos.5 and 6 filed counter affidavit and assert that firstly they have satisfied the Land Acquisition Officer as to their entitlement to receive compensation and secondly that the petitioner has nothing to do with the subject matter of the writ petition or the subject matter of acquisition in Sy.No.161. To the pointed query of the Court whether the rival claims can be considered and disposed of by this Court, more particularly when the acquisition of land was under the provisions of the Land Acquisition Act, Mr.Krishna Kishore states that the remedy of petitioner is elsewhere and the payment of compensation to anyone, including respondents 5 and 6 is protected by Section 32 (2) (b) of the Land Acquisition Act. Therefore, he seeks liberty to

work out the remedy in a proceeding instituted before the Court having the jurisdiction.

By granting the liberty as above, the writ petition is dismissed.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

27th April, 2018

Lrkm

S. V. BHATT, J

