

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

W.P.No.36209 of 2018

Date:5.10.2018

Between.

Desireddy Srinivasa Reddy,
S/o Nagi Reddy and two others.

....Petitioner

And.

The State of Telangana,
reptd., by its Principal Secretary,
Revenue Department, Hyderabad
and six others.

....Respondents

Counsel for the petitioner: Mr. Y.Ravindra Kumar

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

Counsel for respondent No.5: Mr. J.Srinivasa Rao

Standing Counsel for Singareni Collieries

Counsel for respondent No.7: Mr. J.Anil Kumar

The Court made the following:

ORDER: (*per 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 disbursing the requisite compensation amount i.e., a cheque for an amount of (1) Rs.12,18,008/- (D.Srinivasa Reddy) (2) Rs.14,61,526/- (D. Sai Pallavi) and also interest at 8% per annum pursuant to Award passed by the Lok Adalat Bench at Khammam i.e., in Lok Adalat Case No.515 of 2016 in LAOP.No.619 of 2014 on the file of the Hon'ble District Judge, Khammam, dated 07.04.2016, for a total extent of Acs.489-04 guntas of land situated at Kompally Village, Sattupally Mandal, Khammam District, acquired by Singareni Collieries, as illegal, arbitrary, in violation of Articles-14 and 21 of the Constitution of India and the 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. Y.Ravindra Kumar, learned Counsel for the petitioners, has invited our attention to the Division Bench Judgment, dated 30.04.2018, in Writ Petition 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.515 of 2016, which is the subject matter of 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 to allowing of the Writ Petition, IA.No.1 of 2018, filed by the petitioners for interim relief, is disposed of as infructuous

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHYAM PRASAD

05th October, 2018

DR