

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.39961 OF 2018

Date: 16.11.2018

Between:

Uppala Kanakamma, w/o. late Balakrishna Rao,
Aged 65 years, r/o.Ramannagudem village,
Buttaigudem Mandal, West Godavari district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Prl.Secretary,
Irrigation and Command Area Development Dept.,
Secretariat, Velagapudi, Amaravathi, Guntur district
and others.

.....Respondents



The Court made the following:

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ORDER:

Preliminary Notification under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act, 2013) was issued on 19.08.2018 for acquisition of land of petitioner including several other properties. Petitioner is concerned with the properties listed at Sl.Nos.32 and 33. Petitioner's grievance is confined to property shown at Sl.No.32. The land in Sl.No.32 deals with Sy.No.17/1A of Ramannagudem village comprising of 37 cents. According to petitioner, said property belongs to her, whereas respondents are treating the said property as public road and depriving payment of compensation. Petitioner filed objections on 23.10.2018 informing the competent authority that the land belongs to her and is not a public road. This writ petition is filed alleging that respondents are not considering the representation submitted by the petitioner.

2. According to learned Government Pleader, so far proceedings are not finalized.

3. If the objections are filed by the petitioner, it cannot be excepted that competent authority is not considering her objections before issuing declaration under Section 19 of the Act, 2013. Therefore, the allegation that competent authority is not considering her representation is premature. Leaving it open to petitioner to avail appropriate remedies as and when declaration is issued under Section 19 of the Act, without taking note of the objections filed by petitioner, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

Date: 16.11.2018
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