

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.40369 OF 2018

Date: 16.11.2018

Between:

B.Prabhavathi w/o. B.Chennaiah, Aged about 44 years,
Agriculturist, R/o. Gani village, Gadivemula Mandal,
Kurnool district and others.

.....Petitioners

and

The State of Andhra Pradesh, rep.by its Prl.Secretary,
Energy Department, Secretariat, Amaravathi,
Velagapudi, Guntur district and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Petitioners claim that they were assigned D-Form pattas to various extents of land mentioned in the prayer of the writ petition as well as annexure enclosed to the writ petition. Petitioners claim that though their lands were utilized for establishing Solar Power Plant, they are not paid compensation.

2. Petitioners land was resumed. However, it appears Government has taken decision to pay compensation to assignees whose land was resumed by the Government. Similarly situated persons earlier instituted W.P.No.16274 of 2017 and batch. The batch of writ petitions were considered by the learned single Judge of this Court and disposed of the writ petitions by order dated 14th July, 2017 duly taking note of the submissions made on behalf of the respondents. Learned single Judge issued several directions.

3. All learned counsel agree that similar directions can also be issued in the present writ petition.

4. Having regard to the same, Writ Petition is disposed of with the following directions:

(a) the petitioners are directed to file petition/representation before respondent Nos.3 and 4 claiming compensation as referred in the letter dated 10.07.2017, for resuming the assigned land from petitioners within eight weeks from today;

(b) the petitioners shall state all the details and enclose true or xerox copies of all the documents in their possession in support of their claim for payment of compensation;

(c) the petitioners shall further produce originals in the enquiry to be held by respondents 3 and 4, and also return the originals while receiving the compensation from the respondents for resuming the assigned land;

(d) respondents 2 to 4 are directed to start enquiring each one of the claims expeditiously and meticulously, take all steps required for completion of enquiry and payment of compensation to each one of the petitioners as noted above within four months from the date of receipt of a copy of this order;

(e) the petitioners/assignees who do not wish to take compensation from respondents are given liberty to file appeal under BSO against the impugned proceedings and work out their grievances, for this Court is of the view that the remedy of appeal, revision etc., under BSO is effective and compatible to the nature of enquiry involved in the matter viz., whether land is brought under cultivation or not etc.

Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 16.11.2018
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HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.40639 OF 2018

Date: 16.11.2018

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