

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

Writ Petition No.40522 of 2018

Date: 15.11.2018

Between:

Chinthala Seetha Mahalaxmi,
W/o Prathapa Reddy and two others.

... Petitioners

And:

The State of Telangana
rep. by its Prl. Secretary
Revenue Dept. (Land Acquisition),
Hyderabad and 6 others

... Respondents

Counsel for the Petitioners: Mrs. B.Rachana Reddy

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

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

SC for Singareni Collieries Co. Ltd.

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

SC for State Legal Services Authority

The Court made the following:

Order: *(Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

Petitioner Nos.1 to 3, who claim to be the wife and two sons of one late Prathapa Reddy, respectively, a party to Lok Adalat Case No.408 of 2016 in L.A.O.P.No.619 of 2014 on the file of the Lok Adalat Bench (District Judge) at Khammam, filed this Writ Petition, feeling aggrieved by the inaction of the respondents in distributing the share of compensation of Late Prathapa Reddy.

At the hearing, Mrs. B.Rachna Reddy, learned counsel for the petitioners, placed reliance on a Division Bench judgment, dated 30.04.2018, in W.P.No.13976 of 2018 and batch, whereunder a batch of Writ Petitions were allowed, directing the District Judge, Khammam, to distribute the compensation amounts together with interest accrued, if any, as per the Lok Adalat award, upon proper identification of the parties concerned.

The learned counsel for the petitioners submitted that as the husband of petitioner No.1 died, the petitioners could not file a Writ Petition earlier and that the judgment in the afore-mentioned batch equally applies to this case also.

We have heard Mr. J.Srinivasa Rao, learned Standing Counsel for Singareni Collieries, and Mr. J.Anil Kumar, learned Standing Counsel for Telangana State Legal Service Authority, appearing for respondents No.7. While not disputing the fact that the husband of petitioner No.1 was a party to the proceedings before the Lok Adalat, Mr. J.Anil Kumar, however, pointed out that as the husband

of petitioner No.1 died, leaving behind the petitioners, they have to approach the District Judge, Khammam and make a claim showing proof of their being the legal heirs of Late Prathapa Reddy. The learned counsel for the petitioners agreed for this course.

In the light of the above submissions of the learned counsel for both parties, the Writ Petition is disposed of by permitting the petitioners to file an application before respondent No.6 for distributing the share of compensation, payable to Late Prathapa Reddy, to his legal heirs. Within one month of such application being filed, respondent No.6 shall make an enquiry and if he is satisfied that the petitioners are the legal heirs of late Prathapa Reddy, he shall distribute the share of compensation, which is payable to late Prathapa Reddy, to them.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, I.A.No.1 of 2018 filed by the petitioners for interim relief is disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE T.AMARNATH GOUD

15th November, 2018
dr