

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.44762 OF 2018

Date: 11.12.2018

Between:

Dasari Satishbabu, s/o. Kasi Viswanadha Veera Venkata
Satyanarayana, 46 years, R/o. 12-70, Dasari Vari Street,
Gokavaram village and Mandal, East Godavari district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Prl.Secretary,
Revenue (Land Acquisition) Department, Secretariat
Buildings, Velagapudi, Amaravathi, Guntur district
and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims that he is the owner and in possession of agricultural land to an extent of Ac.8.56 cents in Sy.No.401, Ac.2.70 cents in Sy.No.402/1B and Ac.2.92 cents in Sy.No.404 of Krishnunipalem village, Gokavaram Mandal, East Godavari district. The above extent of land is proposed for acquisition. The matter is at the stage of determination of compensation and passing of award. Petitioner complains that his name is not reflected against the land to an extent of Ac.8.56 cents in Sy.No.401, but name of Badireddy Rani is reflected, who is none other than the petitioner's paternal aunt, who is no way concerned with the said land. Petitioner further alleges that against the land to an extent of Ac.2.92 cents in Sy.No.404, name of Nahipala Ramakrishna (7th respondent) is shown, who is no way concerned with the said property. Alleging that petitioner has made complaints to the various authorities, but complaints are not attended to and the authorities are now in the process of determination of compensation and passing of award, this Writ Petition is filed.

2. Petitioner admits that in the revenue records, name of his paternal aunt i.e., Badireddy Rani, is reflected. The Land Acquisition Officer proceeds to consider the claims based on entries in the revenue records. In the representation submitted by the petitioner dated 02.11.2018 addressed to the Mandal Revenue Officer, petitioner requested the Mandal Revenue Officer to carryout corrections in the revenue records. The Revenue authorities have to follow due process as required to undertake correction of revenue records, and the persons, whose names are reflected in the revenue records, also need

to be heard. Only if the revenue records are corrected, petitioner can represent to the competent authority for payment of compensation. As the corrections are yet to be carried out in the revenue records, and request was made only on 02.11.2018, the Land Acquisition Officer cannot be compelled to pass award contrary to the revenue records. Similarly petitioner complained on wrong reflection of name of Mahipala Ramakrishna in respect of the land to an extent of Ac.2.92 cents in Sy.No.404. Petitioner also sought correction in the revenue records. Against reflection of 7th respondent name, petitioner appears to have made representation on 02.11.2018 to the Mandal Revenue Officer.

3. However, from the material on record, it is apparent that so far no objection is filed before the Land Acquisition Officer ventilating the above grievances. That being so, Writ Petition is disposed of, granting liberty to the petitioner to file objections before the Land Acquisition Officer/Special Deputy Collector (3rd respondent). If objections are filed within a week from the date of receipt of copy of this order, and by now no award is passed, the Land Acquisition Officer shall consider the objections and take appropriate decision as warranted by law uninfluenced by above observations before passing award. It is also open to petitioner to persuade revenue authorities to take early decision on the request/ representation made by him. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 11.12.2018

Note: Issue C.C. in two days.

(b/o.)

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