

**HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.8066 of 2019**

**ORDER:**

This writ petition is filed for the following relief :

“.... to issue a Writ or order more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction of the Respondents 4 to 5 on the representations dt.27.01.2018 and 29.03.2019 submitted by the petitioners and action of the Respondents 8 to 11 in taking possession and starting construction activities for Komaravelli Mallannasagar Reservoir in the lands procured under G.O.Ms.No.123, dt.30.07.2015 in Thoguta Revenue Village without following due process of law without preparing R and R Scheme and providing Rehabilitation entitlements to the petitioners as per the Act and rules in force and in complete disregard to the directions issued by the 4<sup>th</sup> and 5<sup>th</sup> Respondents as illegal unconstitutional and consequently direct the 4<sup>th</sup> and 5<sup>th</sup> Respondents to immediately undertake process of acquisition of the lands and provision of R and R entitlements with regard to the petitioners as per the provisions of Act 30/2013 as amended by Act 21/2017 before taking up any further construction works in the subject lands in Thoguta Revenue village and Mandal and pass ....”

When the matter is taken up, it is submitted by the learned counsel for the petitioners as well as learned Government Pleader for Land Acquisition that the issue raised in the present Writ Petition is squarely covered by the order dated 15.03.2019, passed by this Court in Writ Petition No.5338 of 2019.

Relevant portion of the aforesaid order reads as under:

“Since the respondents are ready to provide monetary benefits and also considering the time frame provided under Section 38 of the Act 30 of 2013, I deem it appropriate to direct the respondents not to take possession of the lands of the petitioners without paying monetary compensation as mandated under Section 38(1) of the Act. So far as other benefits are concerned, the respondents shall file an undertaking before this Court specifying the timeframe to complete rehabilitation and resettlement entitlements to the project ousters. It is needless to mention that the payment of compensation and other benefits shall be subject to the entitlement of respective parties.

With the above directions, the Writ Petition is disposed of. No order as to costs.”

Following the aforesaid order and for the reasons stated therein, this Writ Petition is also disposed of in terms thereof.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

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JUSTICE CHALLA KODANDA RAM

17.04.2019.  
Msr

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