

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.26978 of 2019

ORDER :

This writ petition is filed seeking *Mandamus* to direct the respondents to consider the reference applications made by the petitioners under Section 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (for brevity "Act No.30 of 2013") for referring the matter to the authority under Act No.30 of 2013 for enhancement of the compensation in respect of their acquired lands admeasuring Ac.0-06 gts in Sy.No.85; Ac.1-04 gts in Sy.No.104, and Ac.0-11 gts in Sy.No.105 of Venkatadripalem Village, Miryalaguda Mandal, Nalgonda District, by applying correct multiplier factor 2.00 as per Central Gazette Notification SO.No.425 (E), dated 09.02.2016 issued under Section 30 (2) of Act No.30 of 2013, and consequently, declare the inaction of the respondents in this regard as violative of Articles 21 and 300-A of the Constitution of India and contrary to the provisions of Act No.30 of 2013.

Heard Sri L. Prabhakar Reddy, learned counsel for the petitioners, and the learned Assistant Government Pleader for Land Acquisition.

Learned counsel for the petitioners submits that the only grievance of the petitioners is that the lands of the petitioners along with others were acquired and as there were some *inter se* disputes between the parties, ultimately, the same were settled vide order dt.19.02.2019 in LAOP.No.142 of 2018 passed by the competent Authority. Thereafter, the petitioners made a representation dt.08.04.2019 for referring the matter to the competent Authority for enhancement of compensation. As the same is not being disposed of, the petitioners have filed the present writ petition.

The learned Assistant Government Pleader for Land Acquisition has produced before this Court a copy of written instructions, the relevant portion of which reads as under:

“Further, it is to submit that the land of the Writ Petitioners to an extent of Ac.1-04 gts in Sy.No.104 and Ac.0-11 gts in Sy.No.105 situated at Venkatadripalem Village was referred U/s. 76 of LARR Act, 2013 to the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Authority, Hyderabad, due to partition dispute within the family members and Ac.0.06 gts in Sy.No.85 was referred U/s. 77(2) of the Act as the writ petitioners have not submitted any documents proving their titles over the said land. The case was registered as LAOP.No.142 of 2018 in Authority and passed orders dated 19.02.2019. The counsel for the petitioners have filed representation dated 08.04.2019 duly enclosing the claim petitions of the writ petitioners. The same will be considered.”

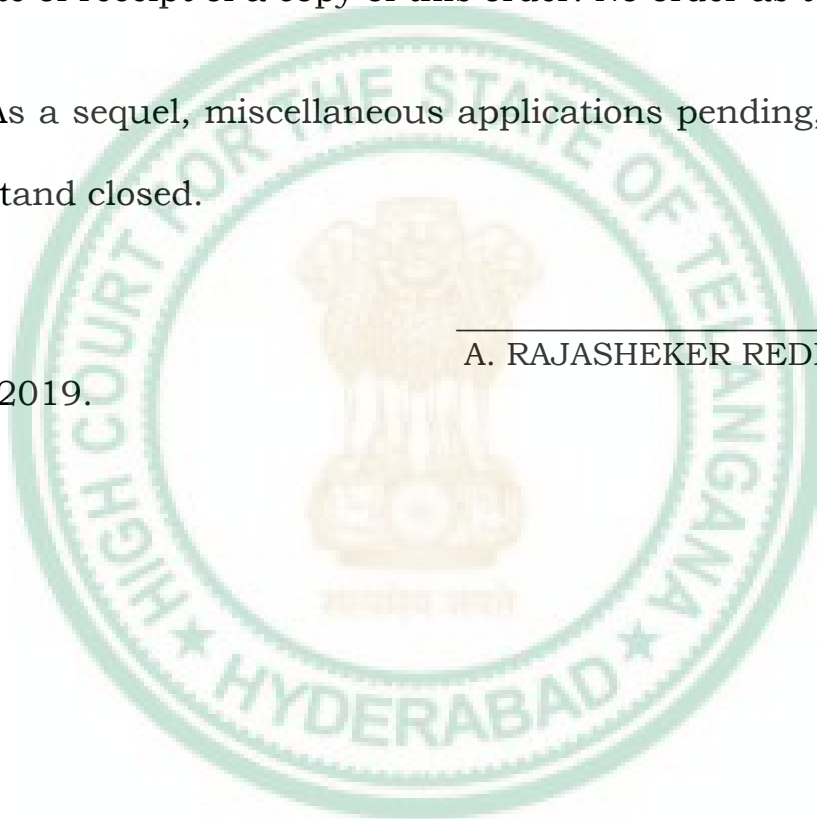
Learned counsel for the petitioners does not dispute the same.

In view of the same, this writ petition is disposed of directing the respondent authorities to consider the representation dt.08.04.2019 submitted by the petitioners and take appropriate action in accordance with law, as early as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

05.12.2019.
Msr



HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.26978 of 2019



05.12.2019
(Msr)