APHC010409102017

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3209]
(Special Original Jurisdiction)

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

I.A.No.1 of 2023

In / And

WRIT PETITION NO: 21352 OF 2017

Between:

1. GODA GURU BHASKAR REDDY,, S/O. LATE G.GURIVI REDDY, AGED 47 YRS., R/O. DODIUM VILLAGE, MYLAVARAM MANDAL, PRESENTLY RESIDING AT D.NO. 17/274, KALUVAKATTA STREET, PRODDATUR TOWN & MANDAL, YSR KADAPA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, ENERGY DEPARTMENT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE SUPERINTENDING ENGINEERS CIVIL I A P S P C L, SADATH MANJIL COMPOUND. OPP: GREEN PARK HOTEL, AMEERPET, HYDERABAD - 16.
3. THE DISTRICT COLLECTOR YSR CUDDAPA DISTRICT, -
4. THE REVENUE DIVISIONAL OFFICER, JAMMALAMADUGU, YSR KADAPA DISTRICT.
5. THE TAHSILDHAR MYLAVARAM MANDAL YSR KADAPA DISTRICT, -
6. GODA LAKSHMI DEVI ALIAS MOLAKA RAMANNAGARI LAKSHMI DEVI, W/O. LATE GODA GURIVI REDDY, AGED 60 R/O. DODIUM VILLAGE. MYLAVARAM MANDAL, YSR KADAPA DISTRICT.

7. GODA PEDDA BHASKAR REDDY ALIAS M R BHASKAR REDDY, S/O. LATE GODA GURIVI REDDY, AGED 45 YRS., R/O. DODIUM VILLAGE. MYLAVARAM MANDAL, YSR KADAPA DISTRICT.
8. G LAKSHMI NARAYANAMMA ALIAS M R LAKSHMI NARAYANAMMA, W/O. GODA PEDDA BHASKAR REDDY, AGED 38 YRS., R/O. DODIUM VILLAGE. MYLAVARAM MANDAL, YSR KADAPA DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. POLURI VASU RAGHAVENDRA RAO

Counsel for the Respondent(S):

1. A RADHAKRISHNA
2. GP FOR ASSIGNMENT (AP)
3. N SIVA REDDY
4. GP FOR REVENUE (AP)
5. GP FOR LAND ACQUISITION
6. GP FOR ENERGY (AP)
7. D KODANDARAMI REDDY

The Court made the following ORDER: *(Per NJS,J)*

Heard Mr.R.Bhart, learned arguing counsel appearing for the petitioner. Also heard Mr.Alladi Radhakrishna, learned counsel for the unofficial respondents, Mr. N.Siva Reddy, learned standing counsel for respondent No.2 and the learned Assistant Government Pleader for official respondents.

2) For the reasons stated in the accompanying affidavit, I.A.No.1 of 2023 is allowed and the counter affidavit filed on behalf of respondent Nos.6 to 8 is received on record.

3) The Writ Petition is filed seeking the following relief:

> "…to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action of the 1 to 5 respondents paying the compensation to the 6th to 8th respondents by passing an award in respect of the acquired agricultural land for and extent of Ac.5-20 cents in Sy.No.1/60-2 of Dodium Village fields of Mylavaram Mandal, YSR Kadapa District, without referring the matter to the Civil Court as required under Section 30 of the Land Acquisition Act in spite of representation made by the petitioner is as illegal, arbitrary and violation of Article 21 of Constitution of India and also contrary to Section 30 of the Land Acquisition Act and consequently direct the respondent Nos. 1 to 5 to refer the matter to the Civil Court under Section 30 of the Land Acquisition Act, for appointing the compensation in respect of the acquired agricultural land for an extent of Ac.5-20 cents in Sy.No.1/60-2 of Dodium Village fields of Mylavaram Mandal, YSR Kadapa District and pass such other order or orders may deem fit and proper and in the interest of justice."

4) The circumstances under which the petitioner filed the present Writ Petition is set out in the affidavit filed in support of the same and need not be referred to at length.

5) It is suffice to state that the grievance of the petitioner is that the respondent authorities without considering the claim of the petitioner or referring the matter to concerned authority provided under the Land Acquisition Act, for determining the rights of the parties are taking steps to pay compensation to Respondent Nos.6 to 8. However, the 5th respondent filed a counter affidavit wherein it is *inter alia* stated that both the petitioner and the unofficial respondents are not eligible for payment of compensation, in as much as they have not produced any documentary evidence in support of their claim and the subject matter land is a Government land classified as 'assessed waste'. Be that as it may.

6) At the time of considering the matter, learned counsel on both sides consented for disposal of the Writ Petition with liberty to the petitioner to approach the LARR Authority (Land Acquisition, Rehabilitation and Resettlement Authority) under Section 63 of the Act 2013 for proper adjudication of the dispute in relation to entitlement of compensation in respect of the subject matter land.

7) In view of the same, the Writ Petition is disposed of, leaving it open to the petitioner to make appropriate application before the concerned

LARR Authority along with relevant documents. Such course of action, in the considered opinion of this Court, is expedient, more particularly, in view of the disputed questions with regard to rival claims involved in the Writ Petition. Therefore, the petitioner adopts such course of action, the said authority shall examine the claim/petition strictly in accordance with law and pass appropriate orders thereon by giving due opportunity of hearing to official and unofficial respondents in the Writ Petition and dispose of the same as expeditiously as possible.

8) Consequently, Miscellaneous Applications pending, if any, shall stand closed. No costs.

NINALA JAYASURYA,J

Date:09.10.2026
Ssv

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

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