APHC010480992021

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

MONDAY, THE 26th DAY OF OCTOBER 2026

PRESENT
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29470 OF 2021

Between:

1. Sri. Alli Satyanarayana,, son of Narasimha Rao and late Annapurnamma, Aged-68 years,Occupation-Agriculture, Resident of Kothagudem, Cherla Mandal, Bhadradri-Kothagudem.

2. Sri.Alli Mohan Rao,, son of Narasimha Rao and late Annapurnamma, Aged 58 years,Occupation-Agriculture, Resident of Kotthur Village, Ashwaraopeta Mandal, Bhadradri-Kothagudem.

3. Smt. Adi Eshwaramma,, Daughter of Narasimha Rao and late Annapurnamma, Aged 61 years,Occupation-Agriculture Resident of Kothamamillagudem, Ashwaraopeta Mandal, Bhadradri-Kothagudem.

4. Smt.Budagam Kasthuri,, Daughter of Narasimha Rao and late Annapurnamma, Aged 55 years, Occupation-Agriculture Resident of Kothagudem, Cherla Mandal, Bhadradri-Kothagudem.

5. Smt.Veeranala.Ganga Devi, Daughter of Narasimha Rao and late Annapurnamma, Aged 54 years,Occupation-Agriculture, Resident of Kothamamillagudem, Ashwaraopeta Mandal, Bhadradri-Kothagudem.

6. Smt. Yerramsetty Sravanthi,, Daughter of Narasimha Rao and late Annapurnamma, Aged 30 years, Occupation- Agriculture Resident of Eedara Village, Aggirapally Mandal, Krishna District.

7. Smt. Badde.Rama Devi,, Daughter of Narasimha Rao and late Annapurnamma, Aged 48 years,Occupation-Agriculture Resident of Khammam, Khammam District.

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary Secreatariat Buidlings, at Velagapudi, Amaravathi, Guntur District.

2. The Special CollectorCumLand Acquisition Officer, Polavaram Irrigation Project-Rajahmundry,East Godavari Dist.

3. The District Collector, At Kakinada, East Godavari District.

4. The Land Acquisition Officer, Polavaram Irrigation Project, Chinthur, East Godavari District.

5. The Mandal Revenue Officer, Chinthur Mandal, East Godavari District.

6. Smt Kethe Anjimma W/o Venkaiah Kethe, Occ Agricultural R/o.Ulamur Village Chinthur Mandal,East Godavari District.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos. 2 to 4 not considering the Representation of the petitioners dt.25.10.2021 as illegal, arbitrary and contrary to the Provisions of the Land Acquisition Act, 2013, directing the Respondent Nos. 2 to 4 to consider the Representation of the Petitioners dt. 25.10.2021 along with Gram Sabha Report of the Respondent No.5, dt.15.07.2021 disclosing the entitlement of the half share by the petitioners, to Refer the Dispute to the Competent Authority under Section 64 under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, to the competent Authority to adjudicate upon the Petitioners entitlement of half of the compensation to the acquired lands in Survey No.7/2 to an extent of admeasuring Acres 3.40, in Survey N.9/2 to an extent of admeasuring Acres 6.62, in Survey No.18/2 to an extent of admeasuring Acres 3.05, in Survey No.13/2 to an extent of admeasuring Acres 2.23, situated at Ulamur Revenue Village, Chinthur Mandal, East Godavari District, vide Notification No.B1/33/2021, Dated 11.03.2021, and acquired the lands in Survey No- 31/2 to an extent of land admeasuring 3.12 cents, also vide another notification No.REF No. B1/345/2016 issued by the Respondent No.2, dated 11.03.2021, as the Petitioners are entitled for their half share and the Respondent No.6 is entitled for her half share, being the sucessors of late Chenchaiah. Petitioners and Respondent No.6 are all the joint owners of the land acquired by the Respondent No.2 authorities.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to direct the Respondent Nos.2 to 4 to stop the disbursal of the compensation amounts payable to the Respondent No.6, accrued from vide notification No-REF.NO.131/345/2016 and No-B1/33/ 2021,

Dated.11.03.2021, issued by the Respondent No.2, pending disposal of the above writ petition

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to grant leave to the petitioner herein / Respondent No.4 in the WP No.29470/2021 to file counter affidavit in the above writ petition and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to grant leave for filing counter in the Writ Petition No. 29470 of 2021 and pass

Counsel for the Petitioners: BABUJI TENNETI

Counsel for the Respondents: GP FOR LAND ACQUISITION

Counsel for the Respondents:V V LAKSHMI NARAYANA

The Court made the following order:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.29470 of 2021

ORDER:

The present Writ Petition is filed questioning the action of Respondent Nos.2 to 4 in not considering the representation dated 25.10.2021 of the Petitioners as illegal, arbitrary and contrary to the provisions of Land Acquisition Act, 2013, and Gram Sabha Report of the Respondent No.5, dated 25.10.2021 disclosing the entitlement of the half share by the Petitioners, to refer the dispute to the Competent Authority under Section 64 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to adjudicate upon the Petitioners entitlement of half of the compensation to the acquired lands in Survey No.7/2 to an extent of admeasuring Acres 3.40, in Survey No.9/2 to an extent of admeasuring Acres 6.62, in Survey No.18/2 to an extent of admeasuring Acres 3.05, in Survey No.13/2 to an extent of admeasuring Acres 2.23, situated at Ulamur Revenue Village, Chinthur Mandal, East Godavari District, vide Notification No.B1/33/2021, Dated 11.03.2021, and acquired the lands in Survey No.31/2 to an extent of land admeasuring 3.12 cents, also vide another notification No.REF No. B1/345/2016 issued by the Respondent No.2, dated 11.03.2021, as the Petitioners are entitled for their half share and the Respondent No.6 is entitled for her half share, being the successors of late Chenchaiah.

2) Petitioners and Respondent No.6 are all the joint owners of the land acquired by the Respondent No.2-authorities.

3) Heard Sri Babuji Tenneti, learned counsel for Petitioners, learned Assistant Government Pleader for Land Acquisition and Sri. V.V. Lakshmi Narayana, learned counsel for Respondent No.6.

4) It is further submitted that subsequent to the filing of writ petition, the Petitioners filed a suit O.S.No.03 of 2022 before Special Assistant Agent to Government and Agency Divisional Officer & Sub Collector, Chinturu, Polvaram District, with regard to the said lands, seeking for partition of properties referred to in this writ petition among other properties.

5) After due trial, the suit was partly decreed in favour of the Petitioners. Questioning the same, the Petitioners filed A.S.No.646 of 2026 before this Court and an interim order dated 16.10.2026 is passed directing the 2nd Respondent i.e., Special Collector-cum-Land Acquisition Officer, Polvaram Irrigiation Project-Rajahmundra, East Godavari District, not to disburse the compensation amount.

6) Since the right of the Petitioners for the compensation is seized before this Court, no further orders are required to be passed in this writ petition as the authorities are bound by the outcome in A.S.No.646 of 2026. As regards the quantum of compensation, the Petitioners are at liberty to pursue remedies before the appropriate forum.

7) In view of the same, this Writ Petition is closed.

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

NYAPATHY VIJAY,J

Date: 26.10.2026
KK/VSR