

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE SEVENTH DAY OF JANUARY, TWO THOUSAND AND TWENTY ONE

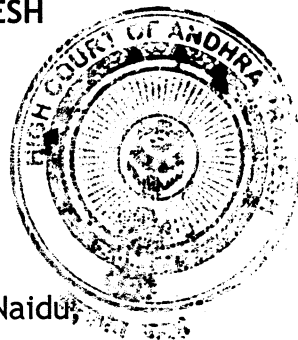
:PRESENT:

THE HONOURABLE SRI JUSTICE D. RAMESH

WRIT PETITION No. 586 OF 2021

Between:

1. A. Usha Rani, W/o. A.Chandrasekharappa,
 2. U. Sarojanamma W/o. Venkatasubbaiah,
 3. Tamatam Hymavathi, W/o. T.P. Veerabhadraiah,
 4. Kamma Chandra Kalavathamma W/o. Kamma Venkata Naidu,
 5. Madiga Papamma, S/o. Madiga Pottalamma,
 6. U. Sakumthamma W/o. U.Sankara Reddy,
 7. Telugu Jyothi @ Chanda Jyothi, W/o. Chanda Sankaraiah,
 8. Polukanti Lakshmidevi W/o. Polukanti Venkateswarlu,
 9. Polukanti Nagalakshamma W/o. Polukanti Venkateswarlu,
 10. D. Sivamma W/o. D.Manmatha Rao,
 11. C. Sankaraiah S/o. Veeraiah,
 12. Kanugula Sunkamma W/o. Srinivasulu,
 13. Chakali Venkateswarlu S/o. Yesaiah,
 14. Maddamma W/o. Nageswara Rao,
 15. Thimmakka, Thimmakka, W/o. Naganna,
 16. Thimmakka W/o. Naganna,
- (Petitioners 1 to 15 are residents of N.Konthalapadu village of Orvakal Mandal, Kurnool District)



....Petitioners

AND

1. State of Andhra Pradesh, State of Andhra Pradesh Rep by its Principal Secretary Revenue Department Velagapudi, Amaravathi.
2. District Collector, District Collector Kurnool, Andhra Pradesh
3. Revenue Divisional Officer, Kurnool, Andhra Pradesh
4. Tahsildar, Orvakal Mandal, Kurnool District, Andhra Pradesh
5. Andhra Pradesh Industrial Infrastructure Corporation, represented by its Vice Chairman and Managing Director, APIIC Towers, Mangalagiri.
6. Andhra Pradesh Industrial Infrastructure Corporation, Zonal Office, Kurnool, represented by Zonal Manager, Kurnool.

....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 to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of Respondents in attempting to dispossess the petitioners by proposing to take the lands assigned to the (1) Petitioner No.1 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (2) Petitioner No.2 in Sy No 508 of Meedivemula village with an extent of Ac. 1.50, (3) Petitioner No.3 in Sy No 508 of Meedivemula village with an extent of Ac. 1.10, (4) Petitioner No.4 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (5) Petitioner No.5 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (6) Petitioner No.6 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (7) Petitioner No.7 in Sy No 508 of Meedivemula village with an extent of Ac. 2.50, (8) Petitioner No.8 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (9) Petitioner No.9 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (10) Petitioner No.10 in Sy No 503 of Meedivemula village with an extent of Ac. 2.00, (11) Petitioner No.11 in Sy No 462/A of Upplapadu Village with an extent of Ac. 3.00, (12) Petitioner No.12 in Sy No 462/A of Upplapadu Village with an extent of Ac. 1.00, (13) Petitioner No.13 in Sy No 508 of Meedivemula village with an extent of Ac. 0.50, (14) Petitioner

No.14 in Sy No 503 of Meedivemula village with an extent of Ac. 1.00, (15) Petitioner No.15 in Sy No 503 of Meedivemula village of Orvakal Mandal with an extent of Ac. 1.00 (all lands situated in Orvakal Mandal of Kurnool District), without issuing any notices and without payment of compensation under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as arbitrary, discriminatory, illegal and contrary to law and violative of Article 300-A of the Constitution of India and violative of Articles 14 and 21 of Constitution of India and also violative of principles of natural justice and for a consequential direction to the respondents not to interfere with the possession of the petitioners over the lands assigned to them without following due process of law and except in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

I.A. No 1 of 2021 :-

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of W.P., the High Court may be pleased to direct the respondents not to interfere with the possession of the petitioners over the lands assigned to them (1) Petitioner No.1 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (2) Petitioner No.2 in Sy No 508 of Meedivemula village with an extent of Ac. 1.50, (3) Petitioner No.3 in Sy No 508 of Meedivemula village with an extent of Ac. 1.10, (4) Petitioner No.4 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (5) Petitioner No.5 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (6) Petitioner No.6 In Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (7) Petitioner No.7 In Sy No 508 of Meedivemula village with an extent of Ac. 2.50, (8) Petitioner No.8 in SY.No 508 of Meedivemula village with an extent of Ac. 2.00, (9) Petitioner No.9 in Sy No 508 of Meedivemula village with an extent of Ac. 2.00, (10) Petitioner No.10 in Sy No 503 of Meedivemula village with an extent of Ac. 2.00, (11) Petitioner No.11 in Sy No 462/A of Upplapadu Village with an extent of Ac. 3.00, (12) Petitioner No.12 in Sy No 462/A of Upplapadu Village with an extent of Ac. 1.00, (13) Petitioner No.13 in Sy No 508 of Meedivemula village with an extent of Ac. 0.50, (14) Petitioner No.14 in Sy No 503 of Meedivemula village with an extent of Ac. 1.00, (15) Petitioner No.15 in Sy No 503 of Meedivemula village of Orvakal Mandal with an extent of Ac. 1.00 (all lands situated in Orvakal Mandal of Kurnool District), without following due process of law and except in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, pending disposal of the W.P. 586 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI VIRUPAKSHA DATTATREYA GOUDA, Advocate for the Petitioners and of the Govt. Pleader for Revenue on behalf of respondent Nos. 1 to 4 and of Sri J. Ugranarasimha, Standing Counsel for respondent Nos. 5 and 6, the Court made the following **ORDER :-**

(taken up through video conferencing)

“Post on 18.01.2021.

In the meanwhile, the respondents are directed not to interfere with the possession of the petitioners over the subject property.

The Registry is directed to print the names of learned Government Pleader for Revenue for respondent Nos.1 to 4, and Sri J. Ugranarasimha, learned standing counsel for Andhra Pradesh Industrial Infrastructure Corporation (A.P.I.I.C.), for respondent Nos.5 and 6, in the cause list.”

//TRUE COPY//

Sd/-T.Madhavi
ASSISTANT REGISTRAR

SECTION OFFICER

Contd...3...

To

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi.
 2. The District Collector, Kurnool, Andhra Pradesh
 3. The Revenue Divisional Officer, Kurnool, Andhra Pradesh
 4. The Tahsildar, Orvakal Mandal, Kurnool District, Andhra Pradesh
 5. The Vice Chairman and Managing Director, Andhra Pradesh Industrial Infrastructure Corporation, APIIC Towers, Mangalagiri, Guntur District.
 6. The Zonal Manager, Andhra Pradesh Industrial Infrastructure Corporation, Zonal Office, Kurnool.
- (Addressee Nos. 1 to 6 by RPAD)**
7. Two CCs to the G.P. for Revenue, High Court of A.P., at Amaravati(OUT)
 8. One CC to Sri Virupaksha Dattatreya Gouda, Advocate(OPUC)
 9. One CC to Sri J. Ugrānarasimha, Advocate(OPUC)
 10. The Section Officer, Posting Section, High Court of A.P., at Amaravati(
 11. One spare copy.

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HIGH COURT

DR.J

DT.07-01-2021.

ORDER

W.P.No. 586 of 2021.

DIRECTION

20 JAN 2021