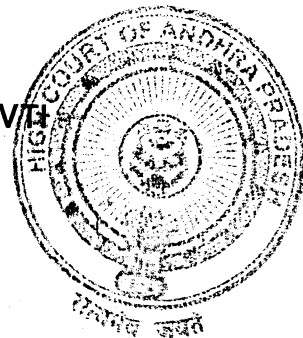


(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISIDICITION)

MONDAY, THE ELEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE M.GANGA RAO



WRIT PETITION NO: 1056, 1066 and 1080 OF 2021

WP No.1056 OF 2021

Between:

Sri. Tirumalanadhuni Suri Babu, S/o. T. Ganga Rao,

Petitioner

AND

1. The State of Andhra Pradesh,, Rep. by its Secretary, Land Acquisition Revenue Department, Secretariat, Velagapudi at Amaravathi, Guntur District, A.P.
2. The District Collector, East Godavari District, Kakinada, East Godavari District, A.P.
3. The Land Acquisition Officer/Sub-Collector, Raj amahendravaram, East Godavari District, A.P.
4. The Rajahmundry Airport, Airports Authority of India, Rep. by its Manager, Raj ahmundry, East Godavari District, A.P.
5. The Gram Panchayat,, Madhurapudi, Rep. by its Secretary, Madhurapudi Village, Korukonda Mandal, East Godavari district, A.P

Respondents

WHEREAS the Petitioner above named through his Advocate Sri D.S.N.V Prasad Babu presented this 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 pass an appropriate order or orders more particularly one in the nature of Writ of Mandamus declaring the high handed action of the Respondents in trying to dispossess the Petitioner without providing proper house site and housing loan as agreed under Rehabilitation and Resettlement Package as illegal, arbitrary, biased, unconstitutional, and against the principles of natural justice, and thus violative of the Land Acquisition Act, consequently direct the Respondent Authorities not to dispossess the Petitioner in an extent of land Ac. 0-17 cents, covered by R.S. No. 172/1, situated at Madhurapudi Village, Korukonda Mandal, East Godavari District, A.P., without providing, proper house site and housing loan to the Petitioner as agreed under Rehabilitation and Resettlement Package.

WP No.1066 OF 2021

Between:

Sri. Tirumalanadhuni Naga Venkata Satyanarayana Murthy, S/o. T. Ganga Rao,

Petitioner

AND

1. The State of Andhra Pradesh,, Rep. by its Secretary, Land Acquisition Revenue Department, Secretariat, Velagapudi at Amaravathi, Guntur District, A.P.
2. The District Collector,, East Godavari District, Kakinada, East Godavari District, A.P.
3. The Land Acquisition Officer/Sub-Collector,, Raj amahendravaram, East Godavari District, A.P.
4. The Rajahmundry Airport,, Airports Authority of India, Rep. by its Manager, Rajahmundry, East Godavari District, A.P.
5. The Gram Panchayat,, Madhurapudi, Rep. by its Secretary, Madhurapudi Village, Korukonda Mandal, East Godavari district, A.P.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri D. S. N V. Prasad Babu presented this 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 pass an appropriate order or orders more particularly one in the nature of Writ of Mandamus declaring the high handed action of the Respondents in

trying to dispossess the Petitioner without providing proper house site and housing loan as agreed under Rehabilitation and Resettlement Package as illegal, arbitrary, biased, unconstitutional, and against the principles of natural justice, and thus violative of the Land Acquisition Act, consequently direct the Respondent Authorities not to dispossess the Petitioner in an extent of land Ac. 0-17 cents, covered by R.S. No. 172/1, situated at Madhurapudi Village, Korukonda Mandal, East Godavari District, A.P., without providing proper house site and housing loan to the Petitioner as agreed under Rehabilitation and Resettlement Package.

WP No.1080 OF 2021

Between:

Sri. Tirumalanadhuni Ganga Rao, S/o. Narayana Murthy,

Petitioner

AND

1. The State of Andhra Pradesh,, Rep. by its Secretary, Land Acquisition Revenue Department, Secretariat, Velagapudi at Amaravathi, Guntur District, A.P.
2. The District Collector,, East Godavari District, Kakinada, East Godavari District, A.P.
3. The Land Acquisition Officer/Sub-Collector,, Rajamahendravaram, East Godavari District, A.P.
4. The Rajahmundry Airport,, Airports Authority of India, Rep. by its Manager, Rajahmundry, East Godavari District, A.P.
5. The Gram Panchayat,, Madhurapudi, Rep. by its Secretary, Madhurapudi Village, Korukonda Mandal, East Godavari district, A.P.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri D.S.N.V Prasad Babu presented this 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 appropriate order or orders more particularly one in the nature of Writ of Mandamus declaring the high handed action of the Respondents in trying to dispossess the Petitioner without providing proper house site and housing loan as agreed under Rehabilitation and Resettlement Package as illegal, arbitrary, biased, unconstitutional, and against the principles of natural justice, and thus violative of the Land Acquisition Act, consequently direct the Respondent Authorities not to dispossess the Petitioner in an extent of land Ac. 0-17 cents, covered by R.S. No. 172/1 situated at Madhurapudi Village, Korukonda Mandal, East Godavari District, A.P., without providing proper house site and housing loan to the Petitioner as agreed under Rehabilitation and Resettlement Package.

AND WHEREAS the High Court upon perusing the petitions and affidavits filed in WP Nos.1056, 1066 & 1080 of 2021 and upon hearing the arguments of Sri D. S. N. V. Prasad Babu, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Land Acquisition Revenue Department, State of Andhra Pradesh Secretariat, Velagapudi at Amaravathi, Guntur District, A.P.
2. The District Collector, East Godavari District, Kakinada, East Godavari District, A.P.
3. The Land Acquisition Officer/Sub-Collector,, Rajamahendravaram, East Godavari District, A.P.
4. The Manager, Rajahmundry Airport, Airports Authority of India, Rajahmundry, East Godavari District, A.P.
5. The Secretary, Gram Panchayat,, Madhurapudi, Madhurapudi Village, Korukonda Mandal, East Godavari district, A.P.

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 25.02.2021 on which date the case stands posted for hearing

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petitions, the High Court may be pleased to Stay of all further proceedings and not to dispossess the Petitioner without providing proper house site and housing loan to the Petitioners as agreed under Rehabilitation and Resettlement Package in the Grama Sabha, which is reduced into writing through Resolution, pending disposal of WP 1056, 1066 & 1080 of 2021, on the file of the High Court.

The Court made the following: ORDER

Notice before admission.

The learned counsel for the petitioners submits that the petitioners land was acquired for the purpose of expansion of Rajahmundry Airport and paid compensation. But agreed Rehabilitation and Resettlement Package benefits are not provided to the petitioners. The highhanded action of the respondents in trying to dispossess the petitioners without providing proper house site and housing loan as agreed is illegal and arbitrary.

Having considered the facts and circumstances of the case and submission of the counsel and perused the record, this Court is prima facie satisfied that the petitioners have shown sufficient cause for grant of interim order.

Accordingly, respondent authorities are directed not to dispossess the petitioners from their house in an extent of land Ac.0.17 cents, covered by R.S.No.172/1, situated at Madhurapudi Village, Korukonda Mandal, East Godavari District, without providing benefits under the Rehabilitation and Resettlement Package as agreed.

Post on 25.02.2021.

Sd/- M. RAMESH BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Secretary, Land Acquisition Revenue Department, State of Andhra Pradesh Secretariat, Velagapudi at Amaravathi, Guntur District, A.P.
2. The District Collector, East Godavari District, Kakinada, East Godavari District, A.P.
3. The Land Acquisition Officer/Sub-Collector,, Rajamahendravaram, East Godavari District, A.P.
4. The Manager, Rajahmundry Airport, Airports Authority of India, Rajahmundry, East Godavari District, A.P.
5. The Secretary, Gram Panchayat,, Madhurapudi, Madhurapudi Village, Korukonda Mandal, East Godavari district, A.P.
(1 to 5 by RPAD)
6. One CC to Sri D. S. N. V. Prasad Babu, Advocate [OPUC]
7. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
9. One spare copy

TVR

HIGH COURT

MGRJ

DATED:11/01/2021

ORDER

WRIT PETITION NO: 1056, 1066 and 1080 OF 2021

POST ON 25.02.2021

25 JAN 2021

DRAFTED: TVR