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APHC010032882019



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

[3459]

FRIDAY, THE 10th DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 1526/2019

Between:

1.NAGAPPA REDDY THANAPAKIAM, W/O. A. KUMANAN, AGED ABOUT 63 YEARS, R/O. SINGAPORE REPRESENTED BY GPA HOLDER SRI. P. MUNI RATHNAM REDDY, S/O. LATE P. SESA REDDY, AGED ABOUT 72 YEARS, RETIRED ASST. COMMISSIONER OF BOARD OF SECONDARY EDUCATION, R/O. H.NO 43-3, GANDLA KOTUR VILLAGE, YADAMARI MANDAL, CHITTOOR DISTRICT

...PETITIONER

AND

- 1.THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, VELAGAPUDI, GUNTUR DISTRICT
- 2.THE DISTRICT COLLECTOR, CHITTOOR DISTRICT, CHITTOOR
- 3.THE JOINT COLLECTOR, CHITTOOR DISTRICT, CHITTOOR

4.THE REVENUE DIVISIONAL OFFICER, CHITTOOR/LAO,
CHITTOR, CHITTOOR DISTRICT

5.THE MANDAL REVENUE OFFICER, YADAMARI MANDAL,
CHITTOOR DISTRICT

6.THE EXECUTIVE ENGINEER, ROADS AND BUILDINGS,
CHITTOOR, CHITTOOR DISTRICT

...RESPONDENT(S):

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 writ, order or direction more particularly one in the nature Writ of Mandamus, declaring the award No.2/96-97 dated -.06.1996 in so far as acquisition of petitioner's land in Sy.No. 508/3A to an extent of Ac. 0.74 cents of Gandla Kotur Village, Kukalla Palli Revenue, Yadamari Mandal, Chittoor District without paying compensation, as null and void in the light of the Sec. 24(2) of The Act 30 of 2013 with a further direction to the respondents to initiate fresh acquisition proceedings under the Act, if respondents require the aforesaid land of the petitioner

IA NO: 1 OF 2019

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 to grant stay of dispossession by demolition or otherwise of the land and structures constructed therein in Sy.No. 508/3A to an extent of Ac. 0.56 cents of Gandla Kotur Village, Kukalla Palli Revenue, Yadamari Mandal, Chittoor District

IA NO: 2 OF 2019

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 To vacate the interim order passed in I.A No. 1 of 2019 in W.P No. 1526 of 2019, dated 24.04.2019 and pass

Counsel for the Petitioner:

1.K RATHANGA PANI REDDY

Counsel for the Respondent(S):

1.GP FOR LAND ACQUISITION (AP)

This Court made the following:

ORDER:

Heard Sri K. Rathangapani Reddy, learned counsel for the petitioner, and learned Assistant Government Pleader for Land Acquisition appearing on behalf of the respondents.

2. The petitioner has filed this Writ Petition to declare the award No.2/96-97 dated 21.06.1996, insofar as it pertains to the acquisition of the petitioner's land—covering an extent of 0.74 acres in Sy.No.508/3A of Gandla Kotur Village, Kukkalapalli Revenue Division, Yadamari Mandal, Chittoor District—as null and void for failing to pay compensation.

3. The mother of the petitioner was the absolute owner of land measuring 1.34 acres in Sy.No.508/3A situated at Gandla Kotur Village, Yadamari Mandal, Chittoor District. Out of this, an extent of 0.74 acres was acquired by the 4th respondent, the Revenue Divisional Officer, Land Acquisition Office, Chittoor, for constructing a bypass road near Chittoor.

4. Following the acquisition, the compensation amount of Rs.15,442/- was fixed by Award No. 2/96-97 dated 21.06.1996. Consequently, a cheque bearing No. 452379 dated 14.08.1996 was issued towards the compensation amount. However, the said cheque could not be honored and was returned with an endorsement dated 11.08.1997, stating that the

validity period of the cheque had expired. On 28.03.2000, the 4th respondent addressed a letter to the State Bank of Hyderabad, Chittoor, vide ROCF/33125/94, seeking revalidation of the cheque. Subsequently, the mother of the petitioner passed away on 28.10.2001.

5. Sri K. Rathangapani Reddy, learned counsel for the petitioner, submits that out of Ac. 0.74 of acquired land, the respondents have utilized Ac. 0.18 for the construction of a bypass road. In the remaining extent of Ac. 0.56, the petitioner's daughter has constructed a temple and six prayer rooms in memory of her deceased mother. When the respondents are interfering with the peaceful possession of the land, the petitioner has filed the present writ petition and obtained *status quo* order.

i) Learned counsel for the petitioner further argues that although the award was passed on 21.06.1996 under the Land Acquisition Act, 1894 (Act 1 of 1894), the compensation was not paid within five years. Consequently, by operation of law, the original proceedings are deemed to have lapsed and the respondents must initiate fresh proceedings under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2013.

ii) Further, in the claim made by the GPA holder before the Lokayuktha, the 2nd respondent issued a report under Roc.No.NH-

140/3556/LOKAYUKTHA/YDM(M)/KKP(V)/2019, dated 31.01.2021, which indicates that, based on the instructions of the 2nd respondent, revised compensation of Rs.18,73,803.38 was fixed for the land measuring 0.74 acres in Sy. No. 508/3A, which was previously acquired. The petitioner requests a direction to release the amount in accordance with the report dated 31.01.2021.

6. In reply, learned Assistant Government Pleader submits that out of 1.34 cents of land, an extent of 0.74 cents was acquired vide Award No. 2/96-97, and the remaining 0.60 was purchased by one P.Munirathnam Reddy from the second daughter of the original owner (deceased). Out of this, an extent of Ac. 0.23 cents of land was acquired for the formation of NH-140 (6-Land Road) in the stretch of Kukkalapalle-Mallavaram Road, and compensation of Rs.21,85,681.68 ps was paid to P.Munirathnam Reddy vide cheque bearing No.087194 on 10.07.2018 by Indus Ind Bank, Chittoor. Furthermore, the respondents strongly opposed and argued that the petitioner has, in parallel, approached and filed an application before the Lokayuktha and therefore cannot agitate the same issue through parallel proceedings before this Court.

7. Admittedly, the petitioner's mother was absolute owner of 1.34 acres of land, out of which, an extent of 0.74 cents was acquired under award number 2/96-97 leaving the owner with 0.60 cents.

8. After the death of original land owner, her second daughter has sold away an extent of Ac.0.60 cents of land (remaining land in Ac.1.34 cents) to P.Munirathnam Reddy. The proceedings Roc.No.NH-140/3556/LOKAYUKTHA/YDM(M)/ KKP(V)/2019, dated 31.01.2021 issued by the 2nd respondent to the Lokayukta, clearly shows that an extent of Ac.0.23 cents of land out of Ac.0.60 cents was acquired by the Joint Collector, Chittoor for the purpose of formation of NH-140 Kukkalapalle-Mallavaram road and the Joint Collector has sanctioned an amount of Rs.21,85,681/- towards compensation and the same was received by said P.Munirathnam Reddy on 10.07.2018 through cheque bearing No.087194 of Indus Ind Bank, Chittoor. Further, para 3 in page 3 of the said proceedings is extracted hereunder:

"Therefore, to solve the long pending issue, to make justice to the petitioner herein and to avoid the delay in formation of NH-140 and directed to sanction the fresh compensation to the already acquired land for formation of bypass road in S.No.508/3A with an extent of Ac.0.74 cents of Kukkalapalle village in Award No.2/96-97 dated 21.06.1996 by the then Land Acquisition Officer/Revenue Divisional Officer, Chittoor as per the rate fixed in Award No.5/G2/3556/NHAI/2016 dated nil.05.2018 vide Roc.NHAI/G2/3556/2016 of the CALA & Joint Collector, NH-140, Chittoor duly informing the matter to the NH authorities.

In view of the above, in the reference 7th cited, the Project Director, PIU, NH-140, Tirupati was directed to sanction the compensation to the already acquired land in S.No.508/3A with an extent of 0.74 cents of Kukkalapalle Village which was acquired for bypass road by the then Revenue Divisional Officer, Chittoor, may be sanctioned as per the market value fixed in this office Award No.5/G2/3556/NHAI/2016 dated .05.2018 vide Roc.NHAI/G2/3556/2016 of the CALA & Joint Collector, NH-140, Chittoor and the compensation amount was calculated as detailed below for release of funds for payment to the petitioner herein.”

Sy. No.	Extent	Rate per acre in Rs.	Land value in Rs.	100% solatium on the land value	12% addl. M.V. for 129/365 days	Total in Rs.	Less previous sanctioned amount	Net amount sanctioned in Rs.
508/3A	0.74 cents or (2994.78 sq.mts)	308.87	924997.69	924997.69	39230	1889225.38	15422	1873803.38

9. Though the learned Assistant Government Pleader has placed on record the latest instructions of the 2nd respondent dated 03.04.2026, there is no reference therein with regard to the report dated 31.01.2021.

10. Since the respondents have taken a decision and accepted the revised compensation amount arrived at a figure of Rs.18,73,803.38 ps. recorded in the report dated 31.01.2021 filed before the Lokayuktha, this Court, without going into the other factual aspects, deems it appropriate, and accordingly, direct the respondents to pay the revised compensation

amount of Rs.18,73,803/- to the petitioner, within a period of three (3) months from the date of receipt of a copy of this order.

If the respondents fail to pay the said amount within the stipulated period of three months, they shall be liable to pay interest @ 6% p.a. from the date of default till the date of payment of compensation amount.

10. With this direction, the Writ Petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed. Status-quo order granted by this Court on 13.02.2019 shall stand vacated.

JUSTICE SUMATHI JAGADAM

10th July, 2026
cbs

Whether the order is:

Speaking	--	Reasoned	√
Reportable	--	Non-Reportable	√

THE HON'BLE SMT. JUSTICE SUMATHI JAGADAM

WRIT PETITION No.1526 of 2019

10th July,2026

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