

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY ,THE TWENTY NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 1 OF 2024

IN

WP NO: 5224 OF 2024

Between:

Pidatala Om Sivaiah, S/o.Chinna Veeraiah Aged 50 years, R/o.K. Agraharam,
Musunoor Village, C.S. Puram Mandal, Prakasam District, Andhra Pradesh

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Revenue Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Collector and District Magistrate, Prakasam District, Ongole, Andhra Pradesh.
3. The Joint Collector, Prakasam District, Ongole, Andhra Pradesh.
4. The Competent Authority (LA) and Joint Collector, Prakasam District, Ongole Andhra Pradesh.
5. The Revenue Divisional Officer, Kanigiri, Prakasam District, Andhra Pradesh.
6. The Tahsildar, C.S.Puram Mandal, Prakasam District, Andhra Pradesh.
7. The National Highways Authority of India, Regional Office, Plot No.21, Teachers Colony GurunanakNagar Road, Vijayawada, NTR District, A.P., Rep. by its Project Director

...Respondents

Counsel for the Petitioner

:Smt KAVITHA GOTTIPATI

Counsel for the Respondent Nos.1 to 6

:GP FOR LAND ACQUISITION

**Counsel for the Respondent No.7
COUNSEL**

:SRI M.ANAND KUMAR, STANDING

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents not to dispossess the petitioner from his land in an extent of Ac. 1.72 cents in Sy.No.102, K. Agraharam of Musunoor Village, C.S. Puram Mandal, Prakasam District, Pending disposal of WP No. 5224 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard.

Smt Kavitha Gottipati, learned counsel for the petitioner submitted that, without paying compensation to the petitioner under National Highways Act, 1956, the authorities are high-handedly contemplating to take possession of the subject property. In fact with an intention to deny the compensation, the acquisition authorities are treating the petitioner's land as A.W.D. Having come to know about the same, the petitioner made a complaint to the Collector in Spandana which was referred to the tahsildar and upon enquiry, tahsildar has given a report stating that the subject land belongs to petitioner and it is not a assigned land. In spite of it, the authorities have not paid compensation and instead they are trying to dispossess the petitioner high-handedly from the subject property. If the same is allowed to happen, the rights of the petitioner would be affected. As such prayed to pass appropriate orders protecting the interest of the petitioner.

Perused the record.

On the petition filed by the petitioner, the Joint Collector vide proceedings dated 04.07.2023 requested the tahsildar for sanction of compensation towards acquired land in Sy. No.102 to an extent of Ac.1.72 cents for laying B.K.V. Express way. Pursuantly, tahsildar directed VRO to submit report and reports are in favour of the petitioner. In these circumstances, without paying compensation, if the petitioner is dispossessed from the subject property, as rightly contended by the learned counsel for the petitioner, the rights of the petitioner would be affected. In order to meet the ends of justice, this court is inclined to pass the following interim order:

An order of Status Quo obtaining as on today shall be maintained, pending further orders.

//TRUE COPY//

For

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District
2. The Collector and District Magistrate, Prakasam District, Ongole, Andhra Pradesh
3. The Joint Collector, Prakasam District, Ongole, Andhra Pradesh
4. The Competent Authority (LA) and Joint Collector, Prakasam District, Ongole Andhra Pradesh
5. The Revenue Divisional Officer, Kanigiri, Prakasam District, Andhra Pradesh
6. The Tahsildar, C.S.Puram Mandal, Prakasam District, Andhra Pradesh.
7. The Project Director, National Highways Authority of India, Regional Office, Plot No.21, Teachers Colony GurunanakNagar Road, Vijayawada, NTR District, A.P., **(Addressees 1 to 7 By RPAD)**
8. One CC to SRI. KAVITHA GOTTIPATI Advocate [OPUC]
9. Two CCs to GP FOR LAND ACQUISITION ,High Court of Andhra Pradesh. [OUT]
10. One CC to SRI M.ANAND KUMAR, Standing Counsel [OPUC]
11. **One spare copy**

PSR

HIGH COURT

RC,J

DATED:29/02/2024

NOTE: POST ON 07.03.2024 IN THE MOTION LIST

ORDER

IA No. 1 OF 2024
IN
WP NO: 5224 OF 2024

STATUS-QUO

