



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

[3233]

MONDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 21466/2022

Between:

1. Y. CHINNAMARAJU,, S/O NARSARAJU, AGED ABOUT 62YRS, OCC- AGRICULTURE R/O MADANAGOPALAPURAM VILLAGE ANDPOST, RAJAMPET MANDAL, YSR KADAPA DISTRICT
2. SALAPAKSHI MUNUSWAMI, S/O KRISHNAIAH, AGED ABOUT 61YRS, OCC- AGRICULTURE RIO CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
3. YARRAGUDI RAMACHANDRA RAJU, S/O NARASARAJU, AGED ABOUT 64YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
4. LANKAYAGARI SUBBA RAYUDU,, S/O LAKSHMI NARASIAH, AGED ABOUT 36YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
5. YERRAGUDI VENKATA PATHI RAJU,, S/O RAMA RAJU, AGED ABOUT 84YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
6. GOPIDESI CHENGAMMA, W/O PENCHALAIAH, AGED ABOUT 64YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
7. LINGARAJU VENKATA SUBBA RAJU,, S/O PITCHIRAJU, AGED ABOUT 52YRS, OCC- AGRICULTURE RIO CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
8. TIPPANA GANGAMMA,, W/O NARASIMHULU, AGED ABOUT 62YRS, OCC- AGRICULTURE RIO CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
9. IRLA GANGAIAH,, S/O POLAIAH, AGED ABOUT 57YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
10. PANDIKALLA NARASAMMA,, W/O PENCHALAIAH, AGED ABOUT 67YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.

11. JOROPALLI SUBBA RAMAIAH,, S/O SUBBAIAH, AGED ABOUT 62YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
12. PANDIKALLA RAMAIAH,, S/O TIRIPAIAH, AGED ABOUT 55YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
13. ELUGU POLAIAH,, S/O SUBBAIAH, AGED ABOUT 64YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
14. BOOPPARAJU SUBBA RAJU,, S/O RAMARAJU, AGED ABOUT 72YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
15. BATHALA SESAIAH,, S/O B. SUBBAIAH, AGED ABOUT 41 YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
16. POTHALA RAMA CHANDRAIAH,, S/O VENKATAPATHI, AGED ABOUT 68YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.
17. PONNA ANNAIAH,, S/O JANGAMSETTY, AGED ABOUT 66YRS, OCC- AGRICULTURE R/O CHITVEL VILLAGE, POST AND MANDAL, YSR KADAPA DISTRICT.

...PETITIONER(S)

AND

1. THE SPECIAL DEPUTY COLLECTOR, LAO, UNIT-IV, SOMAS'LLA PROJECT, RAJAMPET, YSR KADAPA DISTRICT.
2. THE SPECIAL COLLECTOR, GALERU NAGARI SUJALA SHRAVANTHI PROJECT, KADAPA, YSR KADAPA DISTRICT.
3. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR 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 topleased to issue an order or orders and direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents for not paying compensation to the petitioners for the DKT lands on par with the patta lands paid by the respondents as per Award No.14/2011-12, dt.31.01.2012 according to the Mekala Pandu and Others Vs. Land Acquisition Officer cum Revenue Divisional Officer and others reported in 2004 (2) ALD 451 (LB) is illegal, arbitrary and unconstitutional and consequently direct the respondents to pay compensation to the petitioners as per Mekala

Pandu and Others Vs. Land Acquisition Officer cum Revenue Divisional Officer and others reported in 2004 (2) ALD 451 (LB) and pass

IA NO: 1 OF 2022

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 direct the respondents to pay compensation to the petitioners as per reported judgment in Mekala Pandu & Others Vs. Land Acquisition Officer cum Revenue Divisional Officer and others reported in 2004 (2) ALD 451 (LB) forthwith, pending disposal of the main writ petition and pass

IA NO: 1 OF 2025

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 leave to the petitioner herein /Respondent No.1 in the WP No.21466/2022 to file counter affidavit in the above writ petition and pass

Counsel for the Petitioner(S):

1.RAJENDRA BUSSA

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR LAND ACQUISITION (AP)

The Court made the following Order:

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for the respondents.

2. This writ petition was filed questioning the action of the respondents in not paying compensation to the petitioners for the DKT lands on par with the patta lands paid by the respondents as per Award No.14/2011-12, dated 31.01.2012 according to the Mekala Pandu & others vs. Land Acquisition Officer cum Revenue Divisional Officer and others reported in 2004 (2) ALD 451 (LB).

3. The learned counsel for the petitioners submits that the petitioners' DKT lands of Mallamadugu Village of Chitvel Mandal of YSR Kadapa District were acquired for the purpose of Somasila Project and as such they are entitled for compensation on par with patta land holders in all respects.

4. On the other hand, the learned Assistant Government Pleader relying upon the counter of the 1st respondent submits that, the lands of Mallamadugu Village of Chitvel Mandal of YSR Kadapa District were acquired for forest afforestation. As such the award was passed vide award No.14/2011-12 dated 31.01.2012 for the acquisition of the said lands. The petitioners' lands are the DKT lands and as such, the ex-gratia amount was paid to the DKT holders as per the norms and conditions which are applicable as on that day. The patta lands were

published under Section 4(1) of the Land Acquisition Act in the District Gazette, dated 27.02.2009 and the 5(A) enquiry was conducted and no objections were received. The final declaration (DD) was published on 14.02.2010 and after completion of all land acquisition proceedings, the award No.14/2011-12, dated 11.02.2012 was passed and compensation was also paid to the patta land owners/ awardees. Regarding the DKT lands, ex-gratia amounts were paid in accordance with due norms and conditions which are applicable as on that day. The DKT land holders/ legal heirs received the ex-gratia amount by putting their signatures/ thumb impressions without any objection. There is no provision for paying compensation to the DKT lands on par with patta lands. As such the ex-gratia amounts were duly paid to the DKT land holders/ legal heirs. The ex-gratia amount was paid in the year 2012.

5. In view of the above said facts and circumstances, the petitioners are permitted to make a representation enclosing all the necessary documents in support of their claim to the respondent Nos.1 & 2 within a period of two (2) weeks from the date of receipt of this order and on receipt of the same, the respondent Nos.1 & 2 shall consider and dispose of the said representation of the petitioners strictly in accordance with law by hearing all the parties concerned including the petitioners giving due opportunity and upon verification of the records, appropriate decision shall be taken on its own merits as expeditiously as possible preferably within a period of three (3) months thereafter.

6. Accordingly, the writ petition is disposed of. Interim order if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

10.11.2025
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