

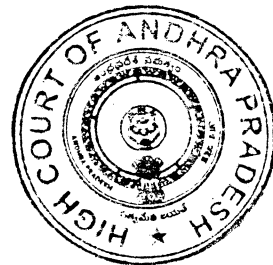
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF AUGUST TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 10728 OF 2020



Between:

1. Maddula Venkata Subba Rao, S/o Venkata Satyanarayana Murthy, Aged about 52 years, Occ Business, R/o. D.No 38-2-19, Budavarapu Veedhi, Palakol, Palakol Mandal, West Godavari District.
2. Punati Sriramulu, S/o. Allurayya, Aged about 66 years, Occ. Business, R/o. D.No. 40-2-3, Budavarapu Veedhi, Palakol, Palakol Mandal, West Godavari District.
3. Punati Chinalaskhmayya, S/o. Allurayya, Aged about 75 years, Occ. Business, R/o. D.No. 40-3-6/3, Budavarapu Veedhi, Palakol, Palakol Mandal, West Godavari District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department (Land Acquisition) Secretariat, Amaravathi.
2. The District Collector, Eluru, West Godavari District
3. The Sub Collector cum Land Acquisition Officer, Narasapur, West Godavari District
4. Andhra Bank, rep by its Branch Manager. SR Nagar Branch, Hyderabad
5. Jeevana Sakthi Chit Fund Pvt. Ltd., rep by its Chairman and Managing Director Ramesh Katragadda, S/o Late Katragadda Bapayya, Office at 207, 2nd Floor, Pancom Business centre, Ameerpet, Hyderabad

...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 a writ, order or direction more particularly one in the nature of WRIT OF CERTIORARI calling for entire records relating to Land Acquisition Proceedings of the Respondents 2 & 3 in E File No. 1787996/2020/G2 dated 29.03.2020 for the lands in Sy.No's R.S.No.416-1A, Ac.0-78 cents of land in R.S.No.416-1B, Ac.1-07 cents of land in R.S.No.417-1, Ac.1-08 cents in R.S.No.417-2A-1, Ac.0-40 cents of land in R.S.No.417-2B, Ac.0-82 cents of land in R.S.No.417-2C-1, Ac.0-56 cents of land in R.S.No.417-3A, Ac.0-56 cents of land in R.S.No.417-3B, Ac.0-37 cents of land in R.S.No.417-3C, Ac.0-37 cents of land in R.S.No.417-3D, Ac.0-64 cents of land in R.S.No.417-3E-1, total Admeasuring Ac.7-43 cents of Kontheru village of Elamanchili Mandal, West Godavari District examine the same and consequently set aside orders in E File No.1787996/2020/G2, dated 29.03.2020 of respondents 2 and 3 in Land Acquisition Proceedings declaring the same as fraudulent transaction illegal, irregular, without jurisdiction and violative of provisions of The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 rules framed there under and offends Articles 14, 21 and 300-A of Constitution of India.

IA NO: 1 OF 2020

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 3rd Respondent to issue necessary orders to freeze the account of the 5th Respondent bearing Acc. No. 0522110110071777 maintained with 4th Respondent

Bank for an amount of Rs.3,13,14, 416/-, pending disposal of Writ Petition No.10728 of 2020, on the file of the High Court.

IA NO: 3 OF 2020

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 suspend the Award passed by the 3rd Respondent in E File No. I787996/2020/G2 dated 29.03.2020 in Voluntary Acquisition of land in Sy. No's R.S.No.416-1A, Ac.0-78 cents of land in R.S.No.416-1B, AC.1-07 cents of land in R.S.No.417-1, Ac.1-08 cents in R.S.No.417-2A-1, Ac.0-40 cents of land in R.S.No.417-2B, Ac.0-82 cents of land in R.S.No.417-2C-1, Ac.0-56 cents of land in R.S.No.417-3A, Ac.0-56 cents of land in R.S.No.417-3B, Ac.0-37 cents of land in R.S.No.417-3C, Ac.0-37 cents of land in R.S.No.417-3D, Ac.0-64 cents of land in R.S.No.417-3E-1, total Admeasuring Ac.7- 43 cents of Kontheru village of Elamanchili Mandal, West Godavari District, pending disposal of the Writ Petition No.10728 of 2020, 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 the order of the High Court order dated 14.07.2020 made herein and upon hearing the arguments of Sri Medapati Santosh Reddy, Advocate for the Petitioner, learned Assistant GP for Land Acquisition for the Respondent Nos.1 to 3 and of Sri Srinivasa Bodduluri, Advocate for Respondent No.5, the Court made the following:

ORDER:

Sri Srinivasa Bodduluri, learned counsel for the 5th respondent submits that counter affidavit is ready and it is upload for tomorrow.

Learned Assistant Government Pleader seeks time for filing counter.

Post on 02.09.2020.

Sri Srinivasa Bodduluri has agreed to extend the undertaking given earlier for a period of four (4) weeks.

**SD/-K.TATA RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. One CC to Sri. Medapati Santosh Reddy, Advocate [OPUC]
2. One CC to SRI.SRINIVASA BODDULURI, ADVOCATE (OPUC)
3. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh. [OUT]
4. One spare copy

SRL

HIGH COURT

RRRJ

DATED:19.08.2020

NOTE: POST ON 02.09.2020

ORDER

WP.No.10728 of 2020

