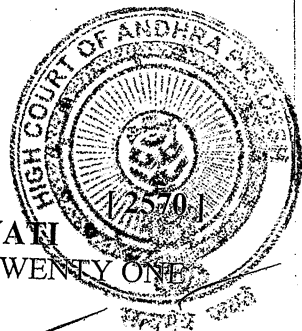




IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE EIGHTEENTH DAY OF MAY, TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR
WRIT PETITION NO: 9987 OF 2021

Between:

1. Paalivala Apparao, S/o Satthi Babu,
Aged 38 years, Occ. Agriculturist R/o A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
2. Pilli Mangayamma,
W/o Nageswara Rao Late,
A/ 69, years, C/BC, A. Veeravaram Village
Devipatnam Mandal,
East Godavari District,
3. Shiek Hussien, S/o Phakeer Saheb,
A/ 48, years, C/BC A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
4. Ketha Lakshmana Rao, S/o Nageswara Rao,
A/45 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
5. Shaik Bhasha, S/o Phakir Bhasha,
A/44 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
6. Mathaparthi Gangaraju, S/o Satyanarayana Late,
A/52 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
7. Ketha Nageswara Rao, S/o Pallayya,
A/68 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
8. Chinthalapalli Venkateswarao, S/o Posiyya,
A/75 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
9. Eekula Venkayamma, W/o Manganna,
A/80 years, R/o. A. Veeravaram Village
Devipatnam Mandal, East Godavari District,

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10. Balam Seetharamayya, S/o Nageswara Rao,
A/61 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
11. Mattaparthi Mula Venkata Satyanarayana,
S/o Satyanarayana Late,
A/49 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
12. Mediseti Bhanumathi, W/o Srinivas
A/40 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
13. Shaik Rabbani, S/o Madina Bhasha Late,
A/73 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
14. Mattaparthi Mangayamma,
W/o Satya Narayana Late,
A/70 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
15. Guttula Raghava, W/o Venkataramana Late,
A/53 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
16. Petapati Subramanyam, S/o Subramanayam,
A/75 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
17. Molleti Rambabu, S/o Bulliyya Late,
A/52 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
18. Saladi Nagamani, W/o Chittabbai Late,
A/69 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
19. Saladi Rambabu, S/o Chittabbai Late,
A/44 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,

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20. Balam Veeravenkatasatyanarayana,
S/o Seetharamayya,
A/40 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
21. Saladi Gangaraju, S/o Chittibbayi Late,
A/50 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
22. Gubbala Rampandu, S/o Narayudu Late,
A/62 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
23. Kanchumarthi Venkateswarlu, S/o Prabhudasu,
A/67 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
24. Chintapalli Ramesh, S/o Venkateswararao,
A/46 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
25. Balam Nagalakshmi, D/o Nageswararao Late,
A/47 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
26. Saladi Nagaraju, S/o Chittabbai Late,
A/45 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
27. Challa Veerabhadrao, S/o Venkataswami,
A/69 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
28. Balam Lakshmanrao, S/o Nageswara Rao Late,
A/36 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
29. Shek Naagur, S/o Navab Jani Late,
A/40 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
30. Kandregula Venkata Lakshmi, W/o Nagu Late,
A/37 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,

31. Ketha Ramalakshmi, W/o Venkatrao Late,
A/70 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
32. Katta Lakshmana Rao, S/o Sitaramayya Late,
A/52 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
33. Mattaparthi Ramakrishna: S/o Satyanarayana Late,
A/39 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
34. Ekula Venkateswarlu, S/o Manganna Late,
A/55 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
35. Katta Trimurthulu, S/o Sitha Ramayya Late,
A/48 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
36. Tekumudi Lakshmi Papa, W/o Srinivas,
A/40 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
37. Kalla Satyam Raju, S/o Mani Rao,
A/36 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
38. Balam Srinu, S/o Seetharamayya,
A/35 years, R/o. A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
39. Pentapati Posi Rao, S/o Subrahmanyam,
A/33 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
40. Ketha Venkateswara Rao, S/o Venkatrao Late,
A/36 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
41. Kanchumarthi Venkatrao, S/o Venkateswarlu,
A/40 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,

42. Gutthula Loavaraju, S/o Venkataramana Late,
A/33 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
43. Balam Prasadh, S/o Seetyaramayya,
A/33 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
44. Chinthapalli Bapi Raju, S/o Venkatarao Late,
A/35 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
45. Vadisela Venkata Lakshmi, D/O Ketha Venkata Rao (Late)
A/38 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
46. Chinthapalli Nagamani, W/o.Venkata Rao(Late),
S/o Musalayya (Late),
A/60 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
47. Vasamsetti Posamma, D/O Balam Gangamma (Late),
A/58 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
48. Katta Surya Maha Lakshmi W/O Edukondalu (Late)
A/45 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
49. Shaik Rahamthunisha W/O Gouse (Late),
S/o Phakir Sayab (Late),
A/46 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
50. Chinthapalli Lalitha Kumari, W/O Posi Krishna (Late),
S/o Venkateswara Rao,
A/40 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
51. Pandala Ramana, D/o Subbareddy,
A/38 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
52. Karam Venkatalakshmi, W/o Sivayya Dora,
A/38 years, R/o. A. Veeravaram Village
Devipatnam Mandal, East Godavari District,

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53. Ketha Posamma, D/o Nageswarao,
A/36 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
54. Balam Krishna Veni, D/o Nageswara Rao,
A/39 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
55. Dommeti Perayya, S/o Seetalayya,
A/75 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
56. Tekumudi Lakshmi, W/o Veerabhadra Rao Late,
A/43 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
57. Shaik Mastan Bibi, W/o Phakir Saheb Late,
A/69 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
58. Mirthivada Naga Malleswari,
W/o Venkata Subba Reddy Late,
A/86 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,
59. Kalugula Murali, S/o Kamireddy,
A/36 years, R/o.A. Veeravaram Village
Devipatnam Mandal, East Godavari District,

... Petitioners

And

1. The State of Andhra Pradesh
Department of Revenue, (Land Acquisition)
Secretariat Buildings, Velagapudi, Amaravathi,
Rep by its Pr. Secretary.
2. The District Collector,
East Godavari District at Kakinada
3. The integrated Tribal Development Agency (ITDA),
Rampachodavaram, East Godavari District.

....Respondent.

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 please to issue Writ of Mandamus declaring the action of the Respondents in seeking to dispossess the petitioners from the residences in A.Veeravaram Village Devipatnam Mandal, East Godavari District without passing Rehabilitation and Resettlement Award under section 31 of the Right to Compensation and Transparency in Land acquisition Rehabilitation and Resettlement Act, 2013 wrt A.Veeravaram village in Devipatnam Mandal, East Godavari district and consequential payment of compensation as illegal, arbitrary and violative of Article 14, 21, 300A of the Constitution of India r/w section 38 Right to Compensation and Transparency in Land acquisition Rehabilitation and Resettlement Act, 2013 and consequently direct the Respondent no.2 to pass award and pay compensation as per Right to Compensation and Transparency in Land acquisition Rehabilitation and Resettlement Act, 2013.

IA NO: 1 OF 2021

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 not to dispossess the petitioners from their residences in A.Veeravaram Village, Devipatnam Mandal, East Godavari District, pending disposal of WP 9987 of 2021, 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 upon hearing the arguments of Sri N. VIJAY, Advocate for the Petitioners, and of Assistant GP for Land Acquisition, for the Respondent No.1, GP for Social Welfare for the Respondent No.3 and the Court made the following:

ORDER

(Proceedings taken up through video conferencing)

“Heard Sri N.Vijay, learned counsel for the petitioners.

Also heard learned Government Pleader for Social Welfare appearing for respondent No.3 and learned Assistant Government Pleader for Land Acquisition appearing for respondent No.1.

The fact that the petitioners are in possession is admitted by the respondents. It is stated by learned counsel for the petitioners that only part of the compensation amount in terms of the G.O. is paid and balance is yet to be paid.

Sri N.Vijay, learned counsel for the petitioners, submits that until the entire amount is paid, dispossession of the petitioners would not arise.

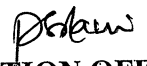
The said legal position is not seriously disputed by the learned Assistant Government Pleader for Land Acquisition.

Having regard to the above, *status quo* as on today in all respects with regard to the property in dispute and possession shall be maintained for a period of three (3) months.

Post after eight (8) weeks.”

**SD/- U. SIVA LEELA
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Prl. Secretary, Department of Revenue, (Land Acquisition), State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, (by RPAD)
2. The District Collector, East Godavari District at Kakinada (by RPAD)
3. The integrated Tribal Development Agency (ITDA), Rampachodavaram, East Godavari District. (by RPAD)
4. One CC to SRI N. Vijay, Advocate [OPUC]
5. Two CCs to GP for LAND ACQUISITION, High Court Of AP. [OUT]
6. One spare copy

MSR

HIGH COURT

CPKJ

DATED:18/05/2021

NOTE : POST AFTER EIGHT WEEKS.

ORDER

WP.NO.9987 OF 2021

STATUS QUO

