



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

**MONDAY, THE SECOND DAY OF MAY
TWO THOUSAND AND TWENTY TWO**

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 7992 OF 2019

Between:

Palnati Mallikarjuna Naidu, S/o Ragapa Naidu, aged about 50 years, R/o Ambapuram village, Nellore Mandal, SPSR Nellore District

Petitioner

AND

1. The State of Andhra Pradesh, rep by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Nellore, SPSR Nellore District.
3. The Revenue Divisional Officer, Nellore, SPSR Nellore District
4. The Superintending Engineer, Public Health Circle, Nellore, SPSR Nellore District.

Respondents

Petition under Article 226 of the Constitution of India is filed 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 Mandamus, declaring the action of the respondents in not acquiring and paying compensation to the petitioner in respect of the land an extent of Ac.0-69 cents in S.No.1922 of Nellore Bit-I village as per the Act 30 of 2013 as illegal, arbitrary and in violation of Article 300A of Constitution of India and Consequently direct the 2nd respondent to finalize the land acquisition proceedings and pay the compensation to the petitioner in respect of the land in S.No. 1922 an extent of Ac.0-69 cents of Nellore Bit-I village.

IA NO: 1 OF 2019

Petition under Section 151 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 to finalize the acquisition proceedings and pay compensation to the petitioner in respect of the land Ac.0-69 cents in S.No. 1922 of Nellore Bit-I village as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, pending disposal of the Writ Petition No.7992 of 2019, 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.P.GANGA RAMI REDDY Advocate for the Petitioner(s), GP FOR REVENUE (AP) Advocate for the Respondent(s) and the Court made the following.

ORDER:

The present writ petitioner is seeking just compensation for the land that has been taken by the Government for creating a summer storage tank. The land taken from him is about Ac.0-69 cents.

2. Initially, the writ petitioner filed W.P.No.34852 of 2011 seeking allotment of alternative land in lieu of land taken by the Government for creation of summer storage tank. While that being so, the writ petitioner also pursued his remedies for seeking just compensation, if the allotment of alternative land is not feasible to the official respondents, which is the present writ petition.

3. Learned Government Pleader for Land Acquisition, on instructions, had stated that the authorities are willing to consider the request made by the writ petitioner for assessing just compensation as per his request.

4. In this view of the matter, the prayer made in Writ Petition No.34852 of 2011 is deemed to have become infructuous.

5. It is an admitted fact that the land of the writ petitioner has been taken and utilized way back in the year 2008. Therefore, this Court deems it appropriate that the proceedings for paying just compensation based on the letter dated 30.04.2017 written by the District Collector, Nellore (Respondent No.2) to the Revenue Divisional Officer, Nellore (respondent No.3) as well as the letter dated 28.08.2017 sent by the Revenue Divisional Officer, Nellore (Respondent No.3) as a proposal for approval and to be gazatted be acted upon without further loss of time.

6. In any case, the official respondents are directed to pass appropriate orders fixing just compensation in accordance with law, within a period of four (4) weeks.

7. List the matter on 15.06.2022 for compliance.

8. In view of the long lapse of time in the present writ petitioner getting the rightful relief, any delay in this matter would be viewed seriously.

//TRUE COPY//

SD/- CHITTI JOSEPH
ASSISTANT REGISTRAR.

For SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Nellore, SPSR Nellore District.
3. The Revenue Divisional Officer, Nellore, SPSR Nellore District
4. The Superintending Engineer, Public Health Circle, Nellore, SPSR Nellore District. (1 to 4 by RPAD)
5. One CC to SRI.P.GANGA RAMI REDDY Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

SRL

HIGH COURT

GRKPJ

DATED:02/05/2022

NOTE: LIST THE MATTER ON 15.06.2022 FOR COMPLIANCE

ORDER

WP.No.7992 of 2019

DIRECTION

