

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

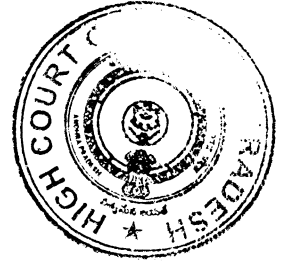
(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JULY TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 12514 OF 2020



Between:

Nalajala Kantha Rao, S/o. Late Satyam, Aged about 53 yrs, R/o H.No.2-12, Ibrahimpeta Village, Burgampahad Mandal, Khammam District, Presently Kukunur Mandal, West Godavari District, Andhra Pradesh.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Revenue, Velagapudi, Amaravati, Guntur District.
2. The District Collector, West Godavari District, Andhra Pradesh.
3. The Special Deputy Collector- cum- Land Acquisition Officer -Cum Sub Collector, Polavaram project, Kukunooru Mandal, West Godavari District, Andhra Pradesh.
4. Nalajala Krishnarjuna Rao, S/o. Late Satyam, Aged 65 Years, Occ. Agriculture, R/o. Ibrahimpeta Village, Burgampahad Mandal, Khammam District, Presently Kukunur Mandal, West Godavari District, Andhra Pradesh
5. Nalajala Veera Venkaiah, S/o.Late Satyam, Aged 57 years, Occ. Agriculture R/o.Ibrahimpeta Village, Burgampahad Mandal, Khammam District, Presently Kukunur Mandal, West Godavari District, Andhra Pradesh

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 of Mandamus or any other appropriate writ, order or direction declaring the action of Respondents more particularly 2nd and 3rd Respondents in not considering the representation made by the petitioner dated 14.05.2020 (received by the offices of 2nd and 3rd Respondents on 27.05.2020), seeking not to pass an award in the favour of the 4th and 5th Respondents and not to disperse the compensation amount during the pendency of W.P No.46784 of 2018 on the file of this Honourable Court, pertaining to the extent of Sy.No.8 to extent of Ac.5-16.Gts, Sy.No.12 to extent of Ac.1-34 Gts, Sy.No.13 to an extent of Ac.12-00Gts, Sy.No.14 for an extent of Ac.1-20 Gts, Sy.No.79 A/A to extent of Ac.6-06 Gts, Sy.No.86 to an extent of Ac.2-08 Gts, Sy.No.100/1 to extent of Ac.5-11 Gts, Sy.No.104 to extent Ac.5-13 Gts of Ibrahimpeta Village and lands in Sy.No. 41 and 47 to extent of Ac.2-00 Gts of Ganaparavam Village of Burgampahad Mandal of West Godavari District, Andhra Pradesh as being illegal, arbitrary, in violation of Articles 14, 21 and 300-A of the Constitution of India, in violation of principles of natural justice and consequently direct the 2nd Respondent to consider the representation made by the petitioner, dated 14.05.2020 (received by the offices of 2nd and 3rd Respondents on 27.05.2020);

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 Respondents, more particularly 3 rd Respondent herein not to disburse the amount of compensation pertaining to the acquisition of the subject property of the Petitioners admeasuring Sy.No.8 to extent of Ac.5-16.Gts, Sy.No.12 to extent of Ac.1-34 Gts, Sy.No.13 to an extent of Ac.12-00 Gts, Sy.No.14 for an extent of Ac.1-20 Gts, Sy.No.79 A/A to extent of Ac.6-06 Gts, Sy.No.86 to an extent of Ac.2-08 Gts, Sy.No.100/1 to extent of Ac.5-11 Gts, Sy.No.104 to extent Ac.5-13 Gts of Ibrahimpeta Village and lands in Sy.Nos. 41 & 47 to extent of Ac.2-00 Gts of Ganaparavam Village of Burgampahad Mandal of West Godavari District, Andhra Pradesh, pending disposal of Writ Petition No.12514 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 upon hearing the arguments of SRI.N.ASHWANI KUMAR Advocate for the petitioner and of learned GP FOR REVENUE for Respondent Nos.1 to 3, the Court made the following.

ORDER:

Learned counsel for petitioner submits earlier he filed W.P.No.46784 of 2018 for the very same relief and the said writ petition is pending and also directions are issued to the respondents therein to file counter. In view of the present situation, he has constrained to file the present writ petition mainly on the ground that the authorities are contemplating to disburse the compensation amount to the 5th respondent, despite he brings to the notice of the authorities about the pendency of the writ petition.

Learned Assistant Government Pleader appearing for the respondents requested sometime to get instructions.

In view of the reasons mentioned in the affidavit, there shall be a direction to the respondents not to disburse the amounts to the 5th respondent for a period of two weeks.

Post on 11.08.2020 along with W.P.No.46784 of 2018.

In the meanwhile, learned counsel for the petitioners is permitted to take out personal notice and file proof of service in the Registry.

SD/- K.JAGAN MOHAN
DEPUTY REGISTRAR
[Signature]
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Department of Revenue, State of Andhra Pradesh, Velagapudi, Amaravati, Guntur District.
2. The District Collector, West Godavari District, Andhra Pradesh.
3. The Special Deputy Collector- cum- Land Acquisition Officer-Cum Sub Collector, Polavaram project, Kukunooru Mandal, West Godavari District, Andhra Pradesh.
4. Nalajala Krishnarjuna Rao, S/o. Late Satyam, R/o. Ibrahimpetta Village, Burgampahad Mandal, Khammam District, Presently Kukunur Mandal, West Godavari District, Andhra Pradesh
5. Nalajala Veera Venkaiah, S/o.Late satyam, R/o. Ibrahimpetta Village, Burgampahad Mandal, Khammam District, Presently Kukunur Mandal, West Godavari District, Andhra Pradesh (1 to 5 by RPAD)
6. One CC to SRI.N.ASHWANI KUMAR Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
8. One spare copy

SRL

HIGH COURT

DRJ

DATED:28/07/2020

**NOTE: POST ON 11.08.2020 ALONG WITH
W.P.NO.46784 OF 2018.**

ORDER

WP.No.12514 of 2020

DIRECTION

