

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE, TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE D. RAMESH

WRIT PETITION No. 11454 of 2022

Between:

1. Thodem Saramma, W/o. Muthyalu,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
2. Polamanchi Bondi, S/o. Kannaiah,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
3. Polamanchi Kannaiah, S/o. Bondi,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
4. Polamanchi Ushamma, W/o. Pentaiah,
Aged 60 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
5. Karam Muthamma, W/o. Karam Bojji,
Aged 53 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
6. Sode Srinu, S/o. Mutyalu,
Aged 32 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
7. Thodem Bajaramma, W/o. Pedda Raju,
Aged 45 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
8. Thodem Durgaiah, S/o. Bajar,u,
Aged 35 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
9. Thodem Mangamma, W/o. Baburao,
Aged 35 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.



10. Thodem Mangamma, W/o. Laxmaiah,
Aged 63 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
11. Thodem Seethamma, W/o. Gangulu,
Aged 54 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
12. Thodem Kannaiah, S/o. Suraiah,
Aged 43 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
13. Gondi Kannaiah, S/o. Muthyalu,
Aged 75 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
14. Thodem Mangamma, S/o. Nagaiah,
Aged 60 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
15. Puli Babu Rao, S/o. Ramulu,
Aged 40 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
16. Puli Dharma Raju, S/o. Kannaiah,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
17. Savalam Laxmi, W/o. Thammaiah,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
18. Thodem Ram babu, S/o. Narayana,
Aged 35 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
19. Kursam Seethamma, W/o. Borraiah,
Aged 48 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
20. Sunnam Bayamma, W/o. Veeraiah,
Aged 70 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.

21. Puli Nageswara Rao, S/o. Kannaiah,
Aged 35 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
22. Sode Pentamma, W/o. Kamaiah,
Aged 60 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
23. Thodem Gali Devudu, S/o. Bheemaiah,
Aged 40 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
24. Thodem Simran, W/o. Posi Babu,
Aged 28 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
25. Sutla Nagamani, W/o. Ganapathi Reddy,
Aged 50 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
26. Thodem Bubamma, S/o. Seetharamudu,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
27. Thodem Arjuna, S/o. Venkaiah,
Aged 45 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
28. Thodem Seetharamulu, S/o. Muthyalu,
Aged 46 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
29. Andela Padma, W/o. Sanjeeva Reddy,
Aged 35 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
30. Kotla Chellamma, W/o. Lachi Reddy,
Aged 50 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
31. Sode Laxmamma, W/o. Kannaiah,
Aged 60 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.

32. Karam Yeraiah, S/o. Muthyalu,
Aged 48 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
33. Thodem Singaiah, S/o. Muthyalu,
Aged 45 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
34. Thodem Ganga Raju, S/o. Muthyalu,
Aged 60 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
35. Madakam Seethamma, D/o. kannaiyah,
Aged 55 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.
36. Polamanchi Bojji, S/o. kannaiyah,
Aged 45 years, Occ: Agriculture,
R/o. Chokkanapally, V.R. Puram Mandal
East Godavari District, A.P.

...PETITIONERS

AND

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary –
Revenue Department, Secretariat,
Amaravathi, Guntur District.
2. The District Collector,
East Godavari District, A.P.
3. The Special Collector (Land Acquisition),
East Godavari District, A.P.
4. The Special Deputy Collector (Land Acquisition),
Konavaram Unit at Chintoor,
East Godavari District, A.P.
5. The Project Officer, ITDA, Chintoor,
East Godavari District, A.P.

...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 the 4th respondent in issuing the endorsement RSDT/11/2021, dated 28-10-2021 taking into account the value of the lands as per the award No.28/2010 Dated 08-10-2010 passed under the Land Acquisition Act, 1864 in relation to the payment of ex-gratia pertaining to the petitioners assigned lands instead of basing on GO Ms No.259, dated 21-06-2016 issued in the light of the provisions of Land Acquisition Act, 2013 since the proceedings for resumption commenced vide notice No. RFB2/11/2018 dated nil-10-2018 after The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 had come into force as illegal and arbitrary and set aside the same and further direct the 4th Respondent to fix land value @ Rs. 3,50,000/- per acre and pay the other amounts under the Act, 30 of 2013 i.e., totally an amount of Rs. 10,50,000/- per acre in relation to the lands of the petitioners being resumed pertaining to Polavaram Project vide the Petitioner No.1 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.00, in Sy.No.41/1/A, extent of Ac.2.05, in Sy.No.45/2 total Ac.7.05, Petitioner No.2 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.1.72 cents, in Sy.No.40/1/2/7, Total Ac.4.72 cents, Petitioner No.3 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.1.27 cents, in Sy.No.47, Total Ac.4.27 cents, Petitioner No.4 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.37 cents, in Sy.No.40/1, extent of Ac.1.45 cents, in Sy.No.40/2, extent of Ac.3.53 cents, in Sy.No.47, Total Ac.10.35 cents, Petitioner No.5 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.40 cents, in Sy.No.47, Total Ac.5.40 cents, Petitioner No.6 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.67 cents, in Sy.No.47, Total Ac.5.67 cents, Petitioner No.7 to an extent of Ac.1.73 cents, in Sy.No.43/3/D, extent of Ac.0.47 cents, in Sy.No.42/2/D, Total Ac.2.20 cents, Petitioner No.8 to an extent of Ac.2.22 cents, in Sy.No.42/1/C, extent of Ac.1.20 cents, in Sy.No.45/1, extent of Ac.1.70 cents, in Sy.No.46/1, extent of Ac.1.09 cents, in Sy.No.41/2/A, Total Ac.5.71 cents, Petitioner No.9 to an extent of Ac.2.01 cents, in Sy.No.43/3/B, extent of Ac.1.08 cents, in Sy.No.41/2/A, Total Ac.3.09 cents, Petitioner No.10 to an extent of Ac.2.14 cents, in Sy.No.42/1/A, extent of Ac.0.40 cents, in Sy.No.45/1, extent of Ac.0.40 cents, in Sy.No.46/1, extent of Ac.0.36 cents, in Sy.No.41/1/A, Total Ac.3.30 cents, Petitioner No.11 to an extent of Ac.2.14 cents, in Sy.No.42/1/B, extent of Ac.0.40 cents, in Sy.No.45/1, extent of Ac.0.40 cents, in Sy.No.46/1, extent of Ac.0.36 cents, in Sy.No.41/2/A, Total Ac.3.30 cents, Petitioner No.12 to an extent of Ac.4.22 cents, in Sy.No.45/3, Petitioner No.13 to an extent of Ac.0.25 cents, in Sy.No.26/4, extent of Ac.2.84 cents, in Sy.No.46/2, extent of Ac.4.35 cents, in Sy.No.53, Total Ac.7.54 cents, Petitioner No.14 to an extent of Ac.1.08 cents, in Sy.No.41/2/B, extent of Ac.1.96 cents, in Sy.No.43/3/C, Total Ac.3.04 cents, Petitioner No.15 to an extent of Ac. .2. 00cents, in Sy.No.46/2/B, Petitioner No.16 to an extent of Ac.1.50cents, in Sy.No.38, extent of Ac.1.80 cents, in Sy.No.9/3, extent of Ac.1.54 cents, in Sy.No.46/2B, Total Ac.4.84 cents, Petitioner No.17 to an extent of Ac.2.40 cents, in Sy.No.47, extent of Ac.3.33 cents, in Sy.No.54, Total Ac.5.73 cents, Petitioner No.18 to an extent of Ac.1.35 cents, in Sy.No.47, Petitioner No.19 to an extent of Ac.1.17 cents, in Sy.No.20/3/E, Petitioner No.20 to an extent of Ac.2.36 cents, in Sy.No.47, extent of Ac.0.85 cents, in Sy.No.21/3, Total Ac.3.21 cents, Petitioner No.21 to an extent of Ac.1.77 cents, in Sy.No.5/2, Petitioner No.22 to an extent of Ac.2.18 cents, in Sy.No.5/4, Petitioner No.23 to an extent of Ac.2.19 cents, in Sy.No.5/4, extent of Ac.0.87 cents, in Sy.No.7, extent of Ac.0.49 cents, in Sy.No.8/3, Total Ac.3.54 cents, Petitioner No.24 to an extent of Ac.0.85 cents, in Sy.No.25/3, Petitioner No.25 to an extent of Ac.1.15 cents, in Sy.No.26/2/B, Petitioner No.26 to an extent of Ac.1.15 cents, in Sy.No.26/2, Petitioner No.27 to an extent of Ac.0.97 cents, in Sy.No.26/2, extent of Ac.0.96 cents, in Sy.No.26/2, Total Ac.1.93 cents, Petitioner No.28 to an extent of Ac.0.96 cents, in Sy.No.26/2, Petitioner No.29 to an extent of Ac.1.15 cents, in Sy.No.26/2, Petitioner No.30 to an extent of Ac.0.89 cents, in Sy.No.25/3, Petitioner No.31 to an extent of Ac.1.15

cents, in Sy.No.26/2, Petitioner No.32 to an extent of Ac.0.97 cents, in Sy.No.26/2, Petitioner No.33 to an extent of Ac.2.09 cents, in Sy.No.43/3, Petitioner No.34 to an extent of Ac.2.00 cents, in Sy.No.41/A, Ac.2.05 cents in Sy.No.45/2, total Ac.4.02 cents, Petitioner No.35 to an extent of Ac.2.14 cents, in Sy.No.42/1BE, Ac.0.80 cents in Sy.No.42/2, total Ac.2.94 cents, Petitioner No.36 to an extent of Ac.1.72 cents, in Sy.No.40/1/3/5 located at Chokkanapally Village, V.R.Puram Mandal, East Godavari District.

I.A.No. 1 of 2022 :-

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of W.P., the High Court may be pleased to grant interim direction to the 4th Respondent to fix land value @ Rs. 3,50,000/- per acre and pay the other amounts under the Act, 30 of 2013 i.e., totally an amount of Rs. 10,50,000/- per acre in relation to the lands of the petitioners being resumed pertaining to Polavaram Project vide Petitioner No.1 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.00, in Sy.No.41/1/A, extent of Ac.2.05, in Sy.No.45/2 total Ac.7.05; Petitioner No.2 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.1.72 cents, in Sy.No.40/1/2/7, Total Ac.4.72 cents; Petitioner No.3 to an extent of Ac.3.00 cents; in Sy.No.2, extent of Ac.1.27 cents, in Sy.No.47, Total Ac.4.27 cents; Petitioner No.4 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.37 cents, in Sy.No.40/1, extent of Ac.1.45 cents, in Sy.No.40/2, extent of Ac.3.53 cents, in Sy.No.47, Total Ac.10.35 cents; Petitioner No.5 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.40 cents, in Sy.No.47, Total Ac.5.40 cents; Petitioner No.6 to an extent of Ac.3.00 cents, in Sy.No.2, extent of Ac.2.67 cents, in Sy.No.47, Total Ac.5.67 cents; Petitioner No.7 to an extent of Ac.1.73 cents, in Sy.No.43/3/D, extent of Ac.0.07 cents, in Sy.No.42/2/D, Total Ac.2.20 cents; Petitioner No.8 to an extent of Ac.2.22 cents, in Sy.No.42/1/C, extent of Ac.1.20 cents, in Sy.No.45/1, extent of Ac.1.70 cents, in Sy.No.46/1, extent of Ac.1.09 cents, in Sy.No.41/2/A, Total Ac.5.71 cents; Petitioner No.9 to an extent of Ac.2.01 cents, in Sy.No.43/3/B, extent of Ac.1.08 cents, in Sy.No.41/2/A, Total Ac.3.09 cents; Petitioner No.10 to an extent of Ac.2.14 cents, in Sy.No.42/1/A, extent of Ac.0.40 cents, in Sy.No.45/1, extent of Ac.0.40 cents, in Sy.No.46/1, extent of Ac.0.36 cents, in Sy.No.41/1/A, Total Ac.3.30 cents; Petitioner No.11 to an extent of Ac.2.14 cents, in Sy.No.42/1/B, extent of Ac.0.40 cents, in Sy.No.45/1, extent of Ac.0.00 cents, in Sy.No.46/1, extent of Ac.0.36 cents, in Sy.No.41/2/A, Total Ac.3.30 cents; Petitioner No.12 to an extent of Ac.4.22 cents, in Sy.No.45/3; Petitioner No.13 to an extent of Ac.0.25 cents, in Sy.No.26/4, extent of Ac.2.84 cents, in Sy.No.46/2, extent of Ac.4.35 cents, in Sy.No.53, Total Ac.7.54 cents; Petitioner No.14 to an extent of Ac.1.08 cents, in Sy.No.41/2/B, extent of Ac.1.96 cents, in Sy.No.43/3/C, Total Ac.3.04 cents; Petitioner No.15 to an extent of Ac.2.00 cents, in Sy.No.46/2/B; Petitioner No.16 to an extent of Ac.1.50 cents, in Sy.No.38, extent of Ac.1.80 cents, in Sy.No.9/3, extent of Ac.1.54 cents, in Sy.No.46/2B, Total Ac.4.84 cents; Petitioner No.17 to an extent of Ac.2.40 cents, in Sy.No.47, extent of Ac.3.33 cents, in Sy.No.54, Total Ac.5.73 cents; Petitioner No.18 to an extent of Ac.1.35 cents, in Sy.No.47; Petitioner No.19 to an extent of (Ac.1.17 cents, in Sy.No.20/3/E; Petitioner No.20 to an extent of Ac.2.36 cents, in Sy.No.47, extent of Ac.0.85 cents, in Sy.No.21/3, Total Ac.3.21 cents; Petitioner No.21 to an extent of Ac.1.77 cents, in Sy.No.5/2; Petitioner No.22 to an extent of Ac.2.18 cents, in Sy.No.5/4; Petitioner No.23 to an extent of Ac.2.19 cents, in Sy.No.5/4, extent of Ac.0.87 cents, in Sy.No.7, extent of Ac.0.09 cents, in Sy.No.8/3, Total Ac.3.54 cents; Petitioner No.24 to an extent of Ac.0.85 cents, in Sy.No.25/3; Petitioner No.25 to an extent of Ac.1.15 cents, in Sy.No.26/2/B; Petitioner No.26 to an extent of Ac.1.15 cents, in Sy.No.26/2; Petitioner No.27 to an extent of Ac.0.97 cents, in Sy.No.26/2, extent of Ac.0.96 cents, in Sy.No.26/2, Total Ac.1.93 cents; Petitioner No.28 to an extent of Ac.0.96 cents, in Sy.No.26/2; Petitioner No.29 to an extent of Ac.1.15 cents, in Sy.No.26/2; Petitioner No.30 to an extent of Ac.0.89 cents, in Sy.No.25/3; Petitioner No.31 to an extent of Ac.1.15 cents, in Sy.No.26/2; Petitioner No.32 to an extent of Ac.0.97 cents, in Sy.No.26/2; Petitioner No.33 to an extent of Ac.2.09 cents, in Sy.No.43/3; Petitioner No.34 to an extent of Ac.2.00 cents, in Sy.No.41/A, Ac.2.05 cents in Sy.No.45/2, total Ac.4.02 cents; Petitioner No.35 to an extent of Ac.2.14 cents, in Sy.No.42/1BE, Ac.0.80 cents in Sy.No.42/2, total Ac.2.94 cents; Petitioner No.36 to an extent of Ac.1.72 cents, in Sy.No.40/1/3/5) located at Chokkanapally Village, V.R.Puram Mandal, East Godavari District, Andhra Pradesh, pending disposal

of the above writ petition, pending disposal of W.P.No. 11454 of 2022, 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. Venkata Ramana, Advocate for the Petitioners the G.P. for Stamps and Registration on behalf of Respondents, the Court made the following
ORDER :-

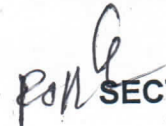
“Learned Government Pleader appearing for the Stamps and Registration Department submitted that they have already approved the counter and needs some time to file the counter.

Post this case after two weeks to file counter of the respondents. Meanwhile, the respondents are directed not to dispossess the petitioners without paying the compensation.”

//TRUE COPY//

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

Fo

 SECTION OFFICER

To

- 1.The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Amaravati, Guntur District.
- 2.The District Collector, East Godavari District, A.P.
- 3.The Special Deputy Collector (Land Acquisition), East Godavari District, A.P.
- 4.The Special Deputy Collector (Land Acquisition), Konavaram Unit at Chintoor East Godavari District, A.P.
- 5.The Project Officer, ITDA, Chintoor, East Godavari District.
(Addressee Nos. 1 to 5 by RPAD)
- 6.Two CCs to the G.P. for Stamps and Registration, High Court of A.P., at Amaravati(OUT)
- 7.One CC to Sri P. Venkata Ramana, Advocate (OPUC)
- 8.One spare copy.

TKK

HIGH COURT

DR.J

DT.22-06-2022.

ORDER

W.P.No. 11454 of 2022.

DIRECTION

