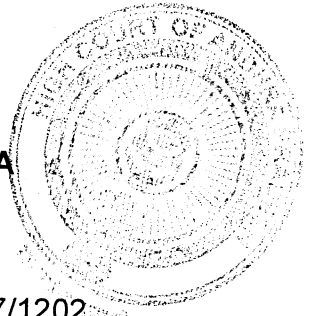


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)  
FRIDAY, THE FIFTH DAY OF FEBRUARY,  
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA  
WRIT PETITION NO: 10461 OF 2019 + 478 of 2021



**Between:**

S.Ramesh Babu, aged about 48 years, S/o.Subba Narasaiah, R/o.D.No.7/1202,  
M.J.Kunta, Chinna Chowk, Y.S.R.Kadapa District.

...Petitioner

AND

1. The State of Andhra Pradesh, represented by Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kadapa, Y.S.R.Kadapa District, Andhra Pradesh.
3. The Revenue Divisional Officer, Kadapa, Y.S.R.Kadapa District, Andhra Pradesh.
4. The Tahasildar, Kadapa, Y.S.R.Kadapa District.

...Respondents

**WP.No.10461 OF 2019**

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 particularly in the nature of Writ of Mandamus directing the respondents either to pay compensation for the petitioner's land of Ac.5-00 in Sy.No.408/5 and Ac.3.31 cents in Sy.No.409/1A of Chinna Chowk Village as per The Right to Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 or restore back these lands to the petitioner by duly making appropriate mutation in Revenue Records by declaring the action of the respondents neither paying compensation nor restoring the lands to the petitioner as illegal and arbitrary.

**IA NO: 1 OF 2019**

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 to finalise the Land Acquisition proceedings for the petitioner's land of Ac.5-00 in Sy.No.408/5 and Ac.3-31 cents in Sy.No.409/1 A of Chinna Chowk Village, of which possession is taken long back, as per The Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013, pending disposal of WP 10461 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 M/s Nimmagadda Revathi, Advocate for the Petitioner and GP for Revenue for the Respondents, the Court made the following.

**WP.No.478 OF 2021:**

**Between:**

Seemakurthi Ramesh Babu, S/o.Subba Narasaiah, aged 49 years, R/o.D.No.7/1202,  
M.J.Kunta, Chinna Chowk, Y.S.R.Kadapa District.

...Petitioner

AND

1. The State of Andhra Pradesh, represented by Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kadapa, Y.S.R.Kadapa District, Andhra Pradesh.

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in spite of pendency of his Writ Petition in W.P.No.10461 of 2019 filed in connection therewith, as illegal, irregular, irrational and violative of provisions of Central Act 30 of 2013 and rules framed there under and offends Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to grant house sites to 3<sup>rd</sup> parties on his said lands, without paying him compensation, rehabilitation and resettlement benefits.

**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 grant house site pattas on the petitioner's lands of Ac.5.00 cents in Sy.No.408/5 and Ac.3.31 cents in Sy.No.409/1A of Chinna Chowk Village in Kadapa Mandal of Y.S.R. Kadapa District under the programme "Navaratnalu — Pedalandariki Illu" Scheme being sponsored by the respondent. without initiating Land Acquisition Proceedings and without paying him compensation, pending disposal of WP 478 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 Siva Sankara Rao Borra, Advocate for the Petitioner and GP for Revenue for the Respondents, the Court made the following.

**ORDER:**

**"Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition.**

**The writ petition is filed challenging the action of the respondents in not paying compensation nor restoring the lands to the petitioner as illegal and unjust etc. ,**

**When the matter is taken up for consideration, the learned Assistant Government Pleader on the basis of oral instructions submits that the land in question was resumed in the year 2009 and compensation was determined @Rs.7 lakhs per acre and as no one has approached the concerned authorities laying a claim, the same has not been disbursed. He further submits that though the land was resumed in the year 2009 at that time, no action was taken. However, recently the land in question has been assigned for the purpose of house site pattas.**

**Let a counter be filed by the concerned respondents setting out all the details.**

**List after two(2) weeks."**

**//TRUE COPY//**

**Sd/- A. Surya Prakasa Rao  
DEPUTY REGISTRAR**

**For SECTION OFFICER**

**To,**

1. The Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The District Collector, Kadapa, Y.S.R.Kadapa District, Andhra Pradesh.
3. The Revenue Divisional Officer, Kadapa, Y.S.R.Kadapa District, Andhra Pradesh.
4. The Tahasildar, Kadapa, Y.S.R.Kadapa District. (Addresses 1 to 4 by RPAD)
5. One CC to M/s. Nimmagadda Revathi, Advocate [OPUC]
6. One CC to Sri Siva Sankara Rao Borra, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
8. One spare copy



HIGH COURT

NJSJ

DATED:05/02/2021

NOTE: LIST AFTER TWO WEEKS

ORDER

WP.No.10461 of 2019 & 478 OF 2021

DIRECTION

