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APHC010347472018



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3333]

WEDNESDAY, THE 8th DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 16259/2018

Between:

- 1.KONDETI RAMALAKSHMI, W/O KONDETI RAVINDRA PRASAD RAO,
AGED ABOUT 40 YEARS, RESIDENT OF VEDANGI VILLAGE,
PODURU MANDAL, WEST GODAVARI DISTRICT.
- 2.KONDETI RAVINDRA PRASAD RAO, S/O SATYANARAYANA
MURTHY, AGED ABOUT 46 YEARS, RESIDENT OF VEDANGI
VILLAGE, PODURU MANDAL, WEST GODAVARI DISTRICT.

...PETITIONER(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REPT. BY ITS PRINCIPAL
SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI,
GUNTUR.
- 2.THE CHIEF COMMISSIONER OF LAND ADMINISTRATION, GOVT.
OF A.P.GOLLAPUDI, VIJAYAWADA, A.P
- 3.THE DISTRICT COLLECTOR, WEST GODAVARI DISTRICT, ELURU
- 4.THE SUB COLLECTOR AND LAND ACQUISITION OFFICER,

NARASAPURAM, WEST GODAVARI DISTRICT.

5.THE TAHSILDAR, PODURU MANDAL AT PODURU, WEST GODAVARI DISTRICT.

...RESPONDENT(S):

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 to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring the Notification of the Social Impact Assessment (SIA) in Form-II, Part-A issued by the District Collector West Godavari, the 3rd respondent herein, in Roc.No.1183943/2018 (G2) dated 16.02.2018, proposing to acquire the lands to an extent of Ac.0.04 cents in Sy.Nos.78-1D and an extent of Ac.0.08 cents in Sy.Nos.78-2, belongs to the petitioners herein, respectively in Vedangi Village, Poduru Mandal, West Godavari District, as illegal, arbitrary, contrary to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and consequently set aside the same and further direct the respondents herein not to acquire the petitioners land and pass

IA NO: 1 OF 2018

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 grant stay of all further proceedings including dispossession of the petitioners from their lands to an extent of Ac.0.04 cents in Sy.Nos.78-1D and an extent of Ac.0.08 cents in Sy.Nos.78-2, belongs to the petitioners herein, respectively, in Vedangi Village, Poduru Mandal, West Godavari District, by suspending the Notification of the Social Impact Assessment (SIA) in Form-II, Part-A, in Roc.No.1183943/2018 (G2) dated 16.02.2018, issued by the District Collector West Godavari, the 3rd respondent herein, pending disposal of the above Writ Petition and pass

IA NO: 2 OF 2018

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 vacate the interim order passed in W.P.No.16259 of 2018, dated. 01.05.2018 and pass

Counsel for the Petitioner(S):

1.SREEMANNARAYANA VATTIKUTI

Counsel for the Respondent(S):

1.GP FOR REVENUE (AP)

The Court made the following:

ORDER:

This Writ Petition came to be filed under Article 226 of the Constitution of India, seeking the following prayer:

“...to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring the Notification of the Social Impact Assessment (SIA) in Form-II, Part-A issued by the District Collector West Godavari, the 3rd respondent herein, in Roc.No.1183943/2018 (G2) dated 16.02.2018, proposing to acquire the lands to an extent of Ac.0.04 cents in Sy.Nos.78-1D and an extent of Ac.0.08 cents in Sy.Nos.78-2, belongs to the petitioners herein, respectively in Vedangi Village, Poduru Mandal, West Godavari District, as illegal, arbitrary, contrary to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and consequently set aside the same and further direct the respondents herein not to acquire the petitioners land and pass...”

2. The 1st petitioner claims to be the owner and possessor of agricultural land admeasuring Acs.0.83 cents in Sy.No.78-1D and the 2nd petitioner claims to be the owner and possessor of land admeasuring Acs.0.53 cents in S.No.78-2 of Vedangi village, Poduru mandal, West Godavari district and are eking out their livelihood by cultivating crops in the said lands.

3. While the matter stood thus, basing on a resolution passed by Vedangi gram panchayat on 23.11.2005 resolving to allot Acs.0.20 cents

of land in R.S.No.31 of Vedangi village for pathway to burial ground of SC people of Vedangipalem hamlet of Vedangi village, the 2nd respondent proposed to acquire the petitioners' land and authorized RISES agency to conduct social impact assessment to exercise the powers conferred under Section 4, 5 and 6 of Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act and accordingly, issued the impugned notification vide ROC.No.1183943/2018(G2), dated 16.02.2018.

4. Earlier, aggrieved by the action of the respondent authorities in issuing notification under Section 4(1) of the Land Acquisition Act, dated 02.11.2006 and notice issued under Section 9(3) and 10 of Land Acquisition Act, dated 13.04.2007, the 1st petitioner approached this Court by filing W.P.No.21005 of 2008, wherein, this Court has set aside the said impugned notification and notices therein, vide order dated 27.02.2017 and further granted liberty to respondents to initiate fresh proceedings in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act.

5. The grievance of the petitioners is that in spite of there being a direction to the respondent authorities to initiate fresh proceedings, if any, in accordance with law, the 3rd respondent has once again issued the impugned notification dated 16.02.2018 proposing to acquire the subject

lands belonging to the petitioner for the purpose of pathway to the burial ground of scheduled caste people of petitioners' village. Hence, the present writ petition is filed.

6. When the writ petition came up for admission on 01.05.2018, this Court has directed both the parties to maintain status quo with regard to the subject property.

7. The 3rd respondent filed a detailed counter affidavit denying the averments of the petitioner, however, nowhere in the counter affidavit it was stated as to whether any award has been passed in favour of the petitioners for proposing to acquire their lands, in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act; when this Court questioned learned Assistant Government Pleader with regard to the same, he sought time for filing additional counter affidavit to that extent.

8. Heard Sri. V. Sreemannarayana, learned counsel for the petitioners and learned Government Pleader for Revenue.

9. Perused the entire material available on record. Today, when the writ petition was listed under the caption 'for appearance', the 3rd respondent appeared before this Court and furnished a copy of the award dated 23.09.2020 filed by way of a memo dated 07.07.2026. A perusal of

the award would disclose that the petitioners are entitled to be paid Rs.1,96,914/- each as compensation.

10. The letter addressed by the 4th respondent dated 17.12.2020 to the 3rd respondent was also filed by way of the said memo, wherein it was stated that the funds for payment of compensation to the land owners are not deposited by the requisition department and as such, the 3rd respondent was requested to release Rs.40,89,121/- (Rs.29,53,710/- for fair award and Rs.11,35,411/- for publication charges) for making payments to land owners and to take possession of the acquired land.

11. It can be seen from the memo filed by the respondents that till date, funds are not deposited by the requisition department to pay compensation to the landowners for proposing to acquire their lands as per award dated 23.09.2020, including the petitioners herein. As award has already been passed by the 4th respondent proposing to acquire the subject lands by paying compensation and as the petitioners have participated in the enquiry conducted by the respondents before passing of the award, the petitioners do not have any option but to receive the compensation as awarded by the respondents in award dated 23.09.2020.

12. In view of the above discussion and in view of the fact that compensation was not paid to the petitioners though the award was passed way back in the year 2020, this Writ Petition is disposed of by

directing the respondents to pay compensation to the petitioners as per the award dated 23.09.2020 along with interest at a rate of 8% per annum from the date of award till the date of realization. Till such compensation is paid to the petitioners, the respondents are directed not to interfere with the possession of the petitioners over the subject property.

13. Accordingly, with the above direction, this writ petition is disposed of. No costs.

Consequently, Miscellaneous Petitions, if any, pending in this Petition shall stand closed.

JUSTICE V.SUJATHA

08.07.2026
Gss

Whether the order is :
Speaking Yes
Reportable No