



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

[3209]

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 34374/2018

Between:

1. MEESALA LAKSHMAMMA, W/O LATE NARASIMHA RAO, AGED ABOUT 80 YEARS, HINDU, HOUSE-WIFE, R/O D.NO,10-283, JAGANNADHAPURAM VILLAGE VELAIRPADU MANDAL, WEST GODAVARI DISTRICT.
2. MEESALA SIVARAM PRASAD, S/O LATE NARASIMHA RAO, AGED ABOUT 53 YEARS, HINDU, CULTIVATION, R/O D.NO.10-283, JAGANNADHAPURAM VILLAGE, VELAIRPADU MANDAL, WEST GODAVARI DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY (LAND ACQUISITION), AMARAVATHI, VELAGAPUDI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, WEST GODAVARI DISTRICT, ELURU.
3. THE INTEGRATED TRIBAL DEVELOPMENT AUTHORITY, REPRESENTED BY ITS PROJECT OFFICER, KOTA RAMACHANDRAPURAM, WEST GODAVARI DISTRICT.
4. THE SPECIAL COLLECTOR LAND ACQUISITION, INDIRA SAGAR PROJECT, RAJAHMUNDRY, EAST GODAVARI DISTRICT.
5. THE SPECIAL DEPUTY COLLECTOR LAND ACQUISITION, INDIRA SAGAR PROJECT, KUKUNOORU, WEST GODAVARI DISTRICT.

6.THE REVENUE DIVISIONAL OFFICER, KUKUNOORU, WEST
GODAVARI DISTRICT.

7.THE TAHSILDAR, VELAIRPADU MANDAL, VELAIRPADU, WEST
GODAVARI DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1.CHANDRA SEKHAR ILAPAKURTI

Counsel for the Respondent(S):

1.GP FOR ASSIGNMENT (AP)

2.GP FOR LAND ACQUISITION (AP)

The Court made the following Order:

The present writ petition is filed seeking the following relief:-

“...to issue an Order or a Direction or a Writ more in the nature of Writ of Mandamus by declaring the action of the 3rd Respondent herein in not paying the Award amount to the Petitioner herein which is awarded under Form IX of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as arbitrary, autocratic, ultravires and against to the principles of natural justice and consequently direct the 3rd Respondent herein to deposit the Award amount passed under Form IX of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 into the bank account of the Petitioner herein in the interest of justice and pass such other order or orders...”

2. Heard learned counsel for the petitioners. Also heard Mr. K Arjun Chowdary, learned Assistant Government Pleader representing the respondents.

3. The learned counsel for the petitioners made submissions *inter alia* to the effect that the respondent Nos.2 to 7 acquired an extent of Ac.4.30 guntas of land of the petitioners situated in Survey No.165/1 of Repakagommu Village, for the purpose of Indira Sagar Project (Polavaram Project) during the year 2017, that the respondent No.5 passed an award dated 21.05.2017 determining the compensation at Rs.49,87,500/-. He submits that for the reasons best known to the respondents, the amount of compensation has not deposited into bank accounts of the petitioners' and as the representations made by them did not yield any response, the petitioners are constrained to file the present writ petition.

4. In support of his contentions, the learned counsel has drawn the attention of this Court to Ex.P1 and P2, apart from the Cist Receipts stated to have been issued in favor of the petitioner No.2 and his father. He contends that non-payment of compensation after acquiring the land of the petitioners amounts to arbitrary exercise of power by the respondents, illegal,

unsustainable in law and therefore, the petitioners are entitled for the relief sought in the writ petition.

5. On the other hand, the learned Assistant Government Pleader, made submissions with reference to the counter-affidavit filed on behalf of the respondents. It is his main contention that the petitioners did not submit any documentary evidence to establish their rights over the subject matter property and in Form-IX, which is filed along with the counter-affidavit, the remarks column clearly mentions "no proofs" and Form-IX filed along with the writ petition is not a complete document. He also submits that in the Village Revenue Records, the name of one Konduri Suresh is mentioned in respect of the subject matter land and that is also one of the reasons for not paying the compensation amount to the petitioners. He submits that in the absence of submission of any valid documentary evidence, the request of the petitioners for payment of compensation cannot be accepted.

6. After considering the arguments advanced by the learned counsel on both sides, this Court enquired from the learned Assistant Government Pleader, as to whether the matter was referred to the authority under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as there was an issue with regard to the identification of the original owner of the property in question. The learned Assistant Government Pleader, on instructions, submits that the same was not done. Be that as it may.

7. Pursuant to the docket proceedings dated 03.11.2025 of this Court, the respondent No.4 filed an affidavit dated 02.12.2025 stating that the amount determined under the Award dated 21.05.2017 was also not deposited before the authority under the said Act. The relevant portion of the said affidavit reads as follows:-

"I submit that, based on the records available, the reasons for the failure of the then Land Acquisition Officer and Sub-Collector,

Kukunoor to deposit the awarded compensation amount before the Authority under the Land Acquisition Act are not traceable. Therefore, the compensation amount will now be deposited before the L.A. & R.R. Authority, Vijayawada, after duly informing the Government and the Special Collector (L.A.), Polavaram Irrigation Project, Dowlaiswaram, and requesting sanction of the required budget. Hence, at this stage, further necessary action may be taken by this Land Acquisition Officer and Special Deputy Collector (L.A.), PIPRMC, Unit-II, Eluru to refer the matter to the Authority under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”

8. In the light of the above stated factual position, this Court deems it appropriate to leave it open to the petitioners to approach L.A. & R.R. Authority, Vijayawada, for examination of their claim for compensation in respect of the subject matter land. If the petitioners adopt such course of action, the said authority shall examine the same strictly in accordance with law, as expeditiously as possible, within a period of six (06) weeks from the date of making application by the petitioners.

9. As it is noted that the compensation amount has not been deposited before the authority concerned so far, the respondent No.4 shall take expeditious action for depositing the compensation amount of Rs.49,87,500/- together with interest before the above mentioned authority.

10. With the above directions, this Writ Petition is disposed of. No costs. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE NINALA JAYASURYA

Date:03.12.2025
Ksj