

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 3444 OF 2003

GOVERNMENT OF A.P. & ORS.

Appellant (s)

VERSUS

KANDULA RAMAIAH & ORS.

R espondent(s)

(With office report)

WITH

Civil Appeal NO. 3445 of 2003(With office report)

Civil Appeal NO. 3447 of 2003(With office report)

Date: 12/10/2006 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Appellant(s)

Ch. Leela Sarveswar, Adv.

Mrs.D. Bharathi Reddy,Adv.

Mr. H.S.Guraraja Rao, Sr. adv.

Mr. Rajnish Kr. Singh, Adv.

Mr. Rahul Shukla, Adv.

Mr.T.V.George, Adv.

For Respondent(s)

Mrs.D. Bharathi Reddy

UPON hearing counsel the Court made the following

O R D E R

The appeals are allowed in terms of the signed judgment
. No order as to the costs.

(Ajay Kr. Jain)
(Vijay Dhawan)

Court Master
Court Master

(Signed non-reportable judgment is placed on the
file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3444 OF 2003

Government of A.P. & Ors.
Appellants

....

Versus

Kandula Ramaiah & Ors.
Respondents

....

WITH

CIVIL APPEAL NO. 3445 OF 2003 and CIVIL APPEAL NO. 3447/2003

J U D G M E N T

We have heard counsel for the parties.

The impugned judgments and orders dated 18.6.2001 and 23.07.2001 in the instant batch of

appeals were passed following an earlier Division Bench judgment of the High Court of Andhra Pradesh in in

the case of Government of A.P. Vs. N.Rami Reddy 2001 (1) ALD, 443. It is brought to our notice that the

aforesaid judgment of the Division Bench was challenged before this Court by the Government of Andhra

Pradesh in Civil Appeal Nos. 3274-3275/2003 and the same were allowed by this Court vide its judgment

dated August 10, 2005 holding that the High Court erred in entertaining the writ petitions, and also in view

of the fact that under the Land Acquisition Act reference was made in terms of Section 18 which were

pending, and there was no reason for the High Court to entertain the writ petitions. Accordingly, the appeals

preferred by the Government of Andhra Pradesh were allowed and the order of the Division Bench were set

aside.

Since in this batch of appeals the judgment of the aforesaid Division Bench has been followed,

these appeals must also be allowed. Accordingly these appeals are allowed and the judgments and orders

impugned herein are set aside.

The appeals are allowed. No order as to the costs.

.....J.

(B.P. SINGH)

.....J.

(TARUN CHATTERJEE)

New Delhi

October 12, 2006