

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
FRIDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NOS: 10466 OF 2023 , 42111 OF 2022, 1456 OF 2006,
2536,10508,10540,10562 OF 2023



WRIT PETITION NO: 10466 OF 2023

Between:

1. Beere Chandrakala, W/o. late Beere Venkatesh, Aged about 51 Years, Occ. Houae Wife, R/o. D. No. 6-393-1A, Keshava Nagar, Dharmavaram, Sri Satya Sai District.
2. K. Varalakshmi, W/o. Chalapathi Naidu, Aged about 43 Years, Occ. House Wife, R/o. D. No. 5-602-3, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.
3. J. Narasamma, W/o. J. Singarappa, Aged about 72 Years, Occ. House Wife , R/o. D. No. 3/69, Shanti Nagar, Dharmavaram, Sri Satya Sai District.
4. Chenna Adinarayana, S/o. C. Narayanappa, Aged about 69 Years, Occ. nill, R/o. D. No. 5-624, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.
5. Udumula Lakshmi devi, w/o. U.veera shekar, Aged about 52 Years, Occ. nill, R/o. D. No. 5-607-1, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.
6. G. Umadevi, W/o. G. Anjaneyulu, Aged about 47 Years, Occ. House wife, R/o. D. No. 3-64, Shanthi Nagar, Dharmavaram, Sri Satya Sai District.
7. P. vara Lakshmi, W/o P. Padmanabhaiah , Aged about 55 Years, Occ. House wife R/o. D. No. 5-618, Sanjay Nagar, Dharmavaram, Ananthapuramu District.
8. K. Ramanjineyulu, S/o. K. Ankanna, Aged about 60 Years, Occ. Business, R/o. D. No. 9-234, Sanjay Nagar, Dharmavaram, Ananthapuramu District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Sri Satya Sai District at Puttaparthi.
3. The Land Acquisition Officer-cum-Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District.
4. The Tahsildar, Dharmavaram Mandal, Sri Satya Sai District
5. The Executive Engineer, (R & B) Division, Dharmavaram Mandal, Sri Satya Sai District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in passing Award dated 29-03-2023 vide Award R. C No. 1318/2019(F) vide Award No.01/2023 without following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as,

illegal, arbitrary, violation of Principles of Natural Justice, violation of settled principles of law and violation of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and violation of provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently set-aside the same.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend to operation of Award dated 29-03-2023 vide Award R. C No1318/2019(F) vide Award No.01/2023 passed by the Respondent No. 3, pending disposal of WP 10466 of 2023, 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 the Orders of the High Court Dated. 12.05.2023, 07.07.2023 & 28.07.2023 upon hearing the arguments of Sri Bandi Srihari, Advocate for the Petitioner and of GP for Land Acquisition for Respondent Nos.1 to 4, GP for Roads & Buildings for Respondent No.5, the Court made the following

WRIT PETITION NO: 42111 OF 2022

Between:

1. MaddanaAnand, S/o. MaddanaChowdaiah, Aged about 40 Years, Occ. Business, R/o. D. No. 5-621, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
2. MaddanaChowdaiah, S/o. Late MaddanaNarasimhulu, Aged about 66 Years, Occ. Nill, R/o. D. No. 5-621, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District

...Petitioners
(Petitioner in WP 42111 OF 2022
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Sri Satya Sai District at Puttaparthi.
3. The Land Acquisition Officer-cum-Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District.
4. The Tahsildar, Dharmavaram Mandal, Sri Satya Sai District
5. The Executive Engineer, (R&B) Division, Dharmavaram Mandal, Sri Satya Sai District.

...Respondents
(Respondents in-do-)

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 more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in issuing Notice dated 17-11-2022 vide R.O No.1318/2019/ F and also issuing preliminary Notice vide Rc.No.G1/4982/2019 dated -12-2021 and proceedings to acquire the House of the Petitioner bearing No. D. No. 5-621, Sanjaya Nagar, Dharmavaram, Sri Satya Sai

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Distict as, illegal, arbitrary, violation of Principles of Natural Justice, violation of settled principles of law and violation of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and consequently set-aside the same .

IA No. 1 OF 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay of all further proceedings in Notice dated 17-11-2022 vide R.C No.1318/2019/F, pending disposal of WP No.42111 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 the Orders of the High Court dated 04.01.2023, 14.03.2023, 21.03.2023, 04.04.2023, 26.04.2023, 27.04.2023, 04.05.2023, 08.05.2023, 12.05.2023 & 07.07.2023 made herein and upon hearing the arguments of SRI BANDI SRIHARI Advocate for the Petitioner, learned G.P. for Land Acquisition for the Respondent Nos. 1 to 4 and learned G.P. for Roads & Buildings for the Respondent No.5, the Court made the following:

WRIT PETITION NO: 1456 OF 2023

Between:

1. V. Gopal, S/o. V. Gangadhar, Aged about 40 Years, Occ- Business, R/o.D.No. 4-145-b, Siva Nagar, Dharmavaram, Sri Satya Sai District.
2. V. Venkatramana, S/o V. Gangadhar, Aged about 43 Years, Occ- Business, R/o. D. No. 12-479-3, S L V Market, Dharmavaram, Sri Satya Sai District

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Sri Satya Sai District at Puttaparthi.
3. The Land Acquisition Officer-cum-Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District.
4. The Tahsildar, Dharmavaram Mandal, Sri Satya Sai District
5. The Executive Engineer, (R&B) Division, Dharmavaram Mandal, Sri Satya Sai District.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in issuing Notice dated 17-11-2022 vide R.C.No.1318/2019/F and also publishing Declaration Vide R.C.No.1318/2019(F) dated 13-08-2022 and issuing preliminary Notice vide Rc.No.G1/4982 /2019 dated -12-2021 and proceedings to a acquire the Houses of the Petitioner bearing No. D.No.5-629 and 5-628 with an extent of 235 Sq.yards in Sanjaya Nagar, Dharmavaram, Sri Satya Sai District as, illegal, arbitrary, violation of Principles of Natural Justice, violation of settled principles of law and violation of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and consequently set-aside the same .

IA NO: 1 OF 2023

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Petition under sec 151 of CPC is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue grant stay of all further proceedings in Notice dated 17-11-2022 vide R.C No. 1318/2019/F, pending disposal of W.P.No.1456 of 2023, 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 the Orders of the High Court, dated 24.01.2023, 31.01.2023, 14.03.2023, 21.03.2023, 04.04.2023, 27.04.2023 04.05.2023 & 10.05.2023 & 07.07.2023 made herein and upon hearing the arguments of Sri P.S.P. Suresh Kumar, Learned Counsel for the petitioners. Also heard the Learned Government Pleader for Land Acquisition appearing for the respondents, the Court made the following

WRIT PETITION NO: 10508 OF 2023

Between:

1. KollamaramKesavareddy, S/o. Sanjeevareddi, Aged about 54 Years, Occ-Business, R/o. D. No. 3-13-A, Shanti Nagar, Dharmavaram, Sri Satya Sai District.
2. AlamVenkatanarayana, S/o. Venkataswamy, Aged about 54 Years, Occ-Private, R/o. D. No. 3-5, Shanti Nagar, Dharmavaram, Sri Satya Sai District.
3. K. Chandra Sekhar Reddy, S/o. K. Sanjeeva Reddy, Aged about 52 Years, Occ- Business , R/o. D. No. 3-899-2, Shanti Nagar, Dharmavaram, Sri Satya Sai District.
4. K. Chennareddy, S/o. Sanjeeva Reddy Aged about 62 Years, Occ- Nill, R/o. D. No. 3/2/3, Shanti Nagar, Dharmavaram, Sri Satya Sai District.
5. B. Nagasankara Reddy, S/o. Nagireddy, Aged about 45 Years, Occ- Private, R/o. D. No. 3-895, Santhi Nagar, Dharmavaram, Sri Satya Sai District.
6. G. UdayaBhaskar, S/o. Nageshamayya, Aged about 57 Years, Occ- Private, R/o. D. No. 3-903, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Sri Satya Sai District at Puttaparthi.
3. The Land Acquisition Officer-cum-Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District.
4. The Tahsildar, Dharmavaram Mandal, Sri Satya Sai District
5. The Executive Engineer, (R&B) Division, Dharmavaram Mandal, Sri Satya Sai District

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in passing Award dated 29-03 2023 vide Award RC.No. 1318/2019(F) vide Award No. 01/2023 without following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as, illegal, arbitrary,

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violation of Principles of Natural Justice, violation of settled principles of law and violation of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and violation of provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently set-aside the same.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of Award dated 29-03-2023 vide Award RC No. 1318/2019(F) vide Award No.01/2023 passed by the Respondent No3, pending disposal of WP 10508 of 2023, 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 the earlier order of the High Court dated 12.05.2023 & 07.07.2023 made hereinand upon hearing the arguments of Sri A K Kishore Reddy, Advocate for the Petitioners and of GP for Land Acquisition, Advocate for Respondent Nos.1 to 4, GP for Roads & Buildings for RespondentNo.5, the Court made the following

WRIT PETITION NO: 10540 OF 2023

Between:

1. Bandaru Thulasi Ram, S/o. B. Krishnamurthy, Aged about 44 Years, Occ. Business, R/o. D. No. 5-642-1, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
2. Shila Ravi Shekar, S/o. Shila Venkatesh, Aged about 42 Years, Occ. Private, R/o. D. No. 5-622, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
3. S. Nagaraju, S/o. S. Venkatesh, Aged about 40 Years, Occ. Business, R/o. D. No. 5-623, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
4. P. Lakshminarayana, S/o. P. Chandrayudu, Aged about 77 Years, Occ. Nill, R/o. D. No. 5-620, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
5. Matula Nagaraju, S/o. M. Adinarayana, Aged about 50 Years, Occ. Private, R/o. D. No. 6-35, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
6. Mathula Nagendra, S/o. M. Adinarayana, Aged about 57 Years, Occ. Private, R/o. D. No. 5-633, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
7. T. Prabhakar Gupta, S/o. T. Subbarayudu, Aged about 57 Years, Occ. Private, R/o. D. No. 3-6-1, Santhi Nagar, Dharmavaram, Sri Satya Sai District.
8. T. Nagarjuna, S/o. Nagayya, Aged about 65 Years, Occ. Private, R/o. D. No. 5-32, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
9. Aalakunta Manohar, S/o. late A. Sreeramulu, Aged about 36 Years, Occ. Private job, R/o. D. No. 5-26, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
10. N. Mallikarjuna, S/o. N. Anjineyulu, Aged about 37 Years, Occ. Private job, R/o. D. No. 5-25, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.
11. B. Veera Narayanamma, S/o. B. Adinarayana, Aged about 60 Years, Occ. Private, R/o. D. No. 5-58, Sanjaya Nagar, Dharmavaram, Sri Satya Sai District.

...Petitioners

AND

1. The State of, Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Sri Satya Sai District at Puttaparthi.
3. The Land Acquisition Officer-cum-Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District.
4. The Tahsildar, Dharmavaram Mandal, Sri Satya Sai District
5. The Executive Engineer, (R&B) Division, Dharmavaram Mandal, Sri Satya Sai District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in passing Award dated 29-03-2023 vide Award R.C.No.1318/2019 (F) vide award No.01/2023 without following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as, illegal, arbitrary, violation of Principles of Natural Justice, violation of settled principles of law and violation of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and violation of provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently set-aside the same.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of Award dated 29-03-2023 vide Award R. C No.1318/2019(F) vide Award No.01/2023 passed by the Respondent No. 3, pending disposal of WP 10540 of 2023, 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 the Order of the High Court Dated. 12.05.2023 & 07.07.2023 upon hearing the arguments of Sri P S P Suresh Kumar, Advocate for the Petitioner and of GP for Land Acquisition for Respondent Nos.1 to 4, GP for Roads & Buildings for Respondent No.5, the Court made the following

WRIT PETITION NO: 10562 OF 2023

Between:

1. Rupa Anjuneyulu, S/o. Rupa Narayanappa, Aged about 69 Years, Occ. Nill, R/o. D. No. 5/626-2, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.
2. Naga bhushana, S/o. M. Adi Narayana, Aged about 54 Years, Occ. Business, R/o. D. No. 5-631, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.
3. Koppala Ramesh, S/o. K. Venkata Ramudu, Aged about 58 Years, Occ. Business, R/o. D. No.9-16, Shanti Nagar, Dharmavaram, Sri Satya Sai District.
4. R. Padmaja, W/o. R. Harinath, Aged about 51 Years, Occ. House wife, R/o. D. No. 5-606, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.

5. Rupa Saroojadevi, W/o. Rupa Raja Krishna, Aged about 60 Years, Occ. House wife, R/o. D. No.5-606, Sanjay Nagar, Dharmavaram, Sri Satya Sai District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Sri Satya Sai District at Puttaparthi.
3. The Land Acquisition Officer-cum-Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District.
4. The Tahsildar, Dharmavaram Mandal, Sri Satya Sai District
5. The Executive Engineer, (R&D) Division, Dharmavaram Mandal, Sri Satya Sai District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in passing Award dated 29-03-2023 vide Award R. C No. 1318/2019(F) vide Award No.01/2023 without following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as, illegal, arbitrary, violation of Principles of Natural Justice, violation of settled principles of law and violation of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and violation of provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently set-aside the same.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of Award dated 29-03-2023 vide Award R. C No.1318/2019(F) vide Award No.01/2023 passed by the Respondent No. 3, pending disposal of WP 10562 of 2023, 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 the order of the High Court dated 12.05.2023 & 07.07.2023 made herein and upon hearing the arguments of Sri P.S.P. Suresh Kumar, Advocate for the Petitioners and of GP for Land Acquisition for Respondents, the Court made the following

COMMON ORDER:

"It is stated by the counsel appearing on both sides that proceedings are complete and the matters may be heard finally.

List these cases on 24.08.2023.

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Interim orders granted on the earlier occasion in W.P. Nos. 10466 of 2023, 42111 of 2022, 1456 of 2023, 10508 of 2023, 10540 of 2023 and 10562 of 2023 shall stand extended by three(3) weeks."

Sd/- P. VINOD KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

Fo SECTION OFFICER

To,

1. One CC to Sri. Bandi Srihari, Advocate [OPUC]
2. One CC to Sri. A K Kishore Reddy, Advocate [OPUC]
3. One CC to SRI P.S.P.SURESH KUMAR, Advocate [OPUC]
4. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh. [OUT]
5. Two CCs to GP for Roads & Buildings, High Court of Andhra Pradesh. [OUT]
6. Two CCs to GP for Home , High Court of Andhra Pradesh. [OUT]
7. One spare copy.

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HIGH COURT

NJS,J

DATED:18.08.2023

ORDER

NOTE: LIST THESE CASES ON 24.08.2023.

**WRIT PETITION NOs: 10466 OF 2023 , 42111 OF 2022, 1456 OF 2006,
2536,10508,10540,10562 OF 2023**

INTERIM ORDER EXTENDED

