

Between:-

The State of Andhra Pradesh,
Revenue Department, represented by its
Principal Secretary & 8 others Respondents

Counsel for the Petitioner : Mr.Namburi Sreemannayarayana

Counsel for the Respondents : Learned Government Pleader
for Revenue

Learned Government Pleader for
Land Acquisition

ORDER:

Heard the Learned Counsel for the petitioners. Also heard the Learned Assistant Government Pleader for Revenue and the Learned Assistant Government Pleader for Land Acquisition representing the respondents. With their consent, the Writ Petition is disposed of, at the stage of admission.

2. The present Writ Petition is filed seeking the following relief:-

"....to declare the action of the official respondents in publishing Public Notice *vide* Ref-B1/91/2023 dated 4.3.2023 and Public Notice *vide* Ref.No.B1/106/2023 dated 13.3.2023 for acquisition of the petitioners' lands in Ravigudem Village, Buttaygudem Mandal, West Godavari District, alleging the same to be allotted to the un-official respondent Nos.6 to 9, as illegal, arbitrary etc., and for a consequential direction to the respondents to consider the petitioners' representation dated 23.3.2023 by cancelling the acquisition proceedings in respect of the subject matter property and to pass such other orders."

3. The Learned Counsel for the petitioners advanced arguments with reference to the averments made in the Affidavit filed in support of the Writ Petition. The Learned Assistant Government Pleader for Revenue, on the other hand, placed a copy of the written instructions dated 14.8.2023 received from the 5th respondent for perusal of this Court, the relevant portion of which reads thus:-

"1. All the D-Form Pattas filed by the petitioners are fake and fabricated with a mala fide intention to misguide the Hon'ble High Court and with a fraudulent purpose to hold the land acquisition process and thence to create confusion only. The highest survey number for Nutiramannapalem village is only 44, but the petitioners claimed that they were issued D-Form Pattas beyond that for un-existed survey numbers.

2. The petitioners never in possession and enjoyment of the extents mentioned in the Public Notices issued in relation with Koyarajahmundry village lands.

3. The Advertisement/Public Notice dated 15.3.2023 in fact issued for acquisition of lands in respect of Koyarajahmundry village of Buttaigudem Mandal but not for the lands of Nutiramannapalem Village. As the D-Forms proved fake beyond any doubt, the petitioners' allegation that issuance of the said Public Notice is illegal, holds no merit.

4. The petitioners indeed filed a representation on 23.3.2023 before the Special Collector (Land Acquisition), Polavaram Irrigation Project, Rajamahendravaram and it will be considered and disposed on its merits in a proper manner."

4. Considering the submissions made and perusing the instructions extracted above, this Court deems it is appropriate to dispose of the Writ Petition, with a direction to the 3rd respondent to consider the objections dated 23.3.2023 submitted by the petitioners and pass appropriate orders thereon, in accordance with Law, after giving due opportunity to the petitioners, as expeditiously as possible, at any rate, within a period of four (4) weeks from the date of receipt of copy of this order.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel, pending applications, if any, shall stand closed.

JUSTICE NINALA JAYASURYA

Date: 21.8.2023

Note: Issue CC by one (1) week

(B/o)

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THE HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO.19711 of 2023

Date: 21.8.2023

Note: Issue CC by one (1) week

(B/o)

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