

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.13472 OF 2002

DATED:16.2.2006

Between:

Nanisetti Satyanarayana and another

...Petitioners

And

The Land Acquisition Officer-cum-

Revenue Divisional Officer,

Yeleswaram Reservoir Project,

Peddapuram,

East Godavari District

...Respondent

WRIT PETITION NO.17554 OF 2004

DATED:16.2.2006

Between:

Nanisetti Rukminamma

...Petitioners

And

The Special Deputy Collector-cum-

Land Acquisition Officer, Y.R.P.

Yeleswaram,

East Godavari District

...Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NOS.13472 OF 2002 AND 17554 OF 2004

COMMON ORDER:

The two Writ Petitions are filed seeking *inter alia* a direction to the respondent, namely, Special Deputy Collector-cum-Land Acquisition Officer, Yeleru Reservoir Project, Yeleswaram, East Godavari District, to pass award in respect of land acquired in 1987 for public purpose, to wit, digging Yeleswaram Canal. This Court admitted the first writ petition on 25.7.2002 and the second writ petition on 30.9.2004. After admission, notices were duly served and the matters are coming up for final hearing.

The petitioner in Writ Petition No.17554 of 2004 addressed a letter to the Hon'ble the Chief Justice requesting priority in disposal of the case. When the same was placed before the Hon'ble the Chief Justice, His Lordship directed the matter to be placed before this Court for disposal. Writ Petition No.17554 of 2004 was listed before this Court on 13.2.2006 when it was brought to the notice of this Court about the pendency of connected Writ Petition No.13472 of 2002. Both the Writ Petitions were directed to be listed today on the top of the list under "specially posted urgent cases" and the respondent was directed to produce the relevant record. The Special Deputy Collector and Land Acquisition Officer is present in the Court with necessary record.

This Court has heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Land Acquisition and perused the record. After completion of the project the unit of land acquisition was disbanded and various pending files were distributed among four Deputy Collectors. As there was some delay in tracing the required record in respect of the lands of the petitioners in these Writ Petitions, award could not be passed. It is also brought to the notice of this Court that there are rival claims pending before the Land Acquisition Officer.

The land was acquired in 1987 and possession was taken in 1988. It is therefore agreed by all that award should be passed expeditiously. The petitioner in W.P.No.17554 of 2004 claimed 1/3<sup>rd</sup> share in the lands acquired comprised in S.Nos.135, 168, 170, 174, 186, 188 and 190 admeasuring Acs.50.10 of Ramanayyapeta Village in Yeleswaram Mandal. The petitioners in W.P.No.13472 of 2002 claimed 1/3<sup>rd</sup> share and other 1/3<sup>rd</sup> share will go to legal heirs of one Venkateswara Rao, who is brother of the husband of the petitioner in W.P.No.17554 of 2004. This is a question which has to be decided by the respondent as and when appropriate claim is produced before him. Liberty is given to petitioners in these matters to approach the Land Acquisition Officer along with legal heirs of Venkateswara Rao, S/o.Nanisetti Venkataratnam, within a period of one week from today. In the meanwhile, the respondent shall pass award duly apportioning the compensation among the legal heirs. This exercise may be completed within a period of two weeks from today.

The Writ Petitions with the above observations and directions is accordingly disposed of.

---

(V.V.S.RAO, J)

16.2.2006

NOTE: Registry is directed to dispatch

copy of the order today.

(B/O)

bnr.