

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.1312 OF 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring action of the respondents herein in not considering the petitioners representation dated 01.06.2004 and 27.8.2008 and in not paying the compensation amount as per the Order passed in OP No.80 of 1989 dated 21.8.1996 on the file of the Court of the Honble Subordinate Judge at Kovvur, West Godavari District as highly arbitrary unlawful dereliction of duty and contrary to the provisions of the Land Acquisition Act, 1894 and also contrary to the provisions of the Constitution of India under Articles 14 and 21 consequently direct the respondents to consider the representations of the petitioners and to pay the compensation amount awarded to the petitioners for which the petitioners are entitled to as per the Order dated 21.8.1996 passed in OP No.80/89 on the file of the Court of Honble Subordinate Judge at Kovvur, West Godavari District along with subsequent interest till the date of payment.”

Though the petitioners made several allegations against the respondents, during hearing, learned counsel for the petitioners requested this Court, without touching the merits of the case, to issue a direction to the respondents to dispose of the representations of the petitioners dated 01.06.2004 and 27.08.2008.

Learned Assistant Government Pleader for Land Acquisition readily agreed to dispose of the representations of the petitioners dated 01.06.2004 and 27.08.2008, if any pending with the authorities.

In view of the submission of the learned Assistant Government Pleader for Land Acquisition, I need not decide the truth or otherwise of the allegations made in the petition. This Court is conscious that no such direction be issued, in view of the judgment of the Apex

Court in “***The Government of India v. P.Venkatesh***¹”, wherein the Apex Court held that such orders may make for a quick or easy disposal of cases in overburdened adjudicatory institutions. But, they do no service to the cause of justice. As the learned counsel for the petitioners himself requested to issue a direction to dispose of the representations of the petitioners dated 01.06.2004 and 27.08.2008, I find no other alternative except to issue such direction.

In the result, the writ petition is disposed of, directing the respondents to dispose of the representations of the petitioners dated 01.06.2004 and 27.08.2008 within four (04) weeks from today. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:27.07.2021

SP

¹ 2019 (8) SCALE 544