



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4thFloor, Singareni Bhavan, Red Hills, Hyderabad 500004

WEDNESDAY, THE SECOND DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY TWO

:Present:

Justice C.V. Nagarjuna Reddy, Chairman
Sri P. Rajagopal Reddy, Member
Sri Thakur Rama Singh, Member

O.P.No.49 of 2022

Between:

1. Mr.Ponnaganti Kesava Ram S/o Venkateswara Rao
H: No 4-122, Tatakuntla village, Visaannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district)
Andra Pradesh-521215.
Patta No:2011, Survey No: 262/5, Acres:2.50

2. Mr. Alladi Chinna Kondaiah S/o Chennaiah
H:No4-150, Tatakuntla village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district),
Andra Pradesh -521215
Patta No:1432, Survey No: 269-9B, Acres: 0.89

3. Mrs. Shaik Madhar Bhee W/o Madhar
H: No 5-123, Tatikuntla village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district.)
Andhra Pradesh-521215
Patta No:697, Survey No.402-3, Acres: 0.89

4. Mr. Varri Laxmana Rao S/o Satyanarayana
H: No 9-408, Tatakuntla village, Visaannapeta Mandal
NTR District, Vijayawada, (Old Krishna district.)
Andhra Pradesh -521215.
Patta No: 1018, Survey No: 290, Acres: 0.64

5. Mr. Chilukuri Kumaraswamy S/o Kotaiah
R/o 5-18, Tatikuntla village, Vissannapeta Mandal
NTR District, Vijayawada (Old Krishna district),
Andhra Pradesh -521215
Patta No: 1212, Survey No. 241/3 and 242, Acres: 2.82

6. Mr. Dammalapati Satyanarayana S/o Narasaiah
R/o 5-32, Tatikuntla village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district.)
Andhra Pradesh -521215.
Patta No: 549, Survey No. 420-3,421-4 and 242, Acres: 0.25

7. Mrs. Ganta Varalakshmi W/o Venkateswara Rao
Tatikuntla village, Vissannapeta Mandal, NTR District,
Vijayawada (Old Krishna district), Andhra Pradesh -521215
Patta No: 577, Survey No. 283-3, Acres: 2.84

8. Mrs. Jaliparthi Anuradha W/o Sambasiva Rao
R/o 4-68, Tatikuntla Village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district)
Andhra Pradesh -521215
Patta No: 211, Survey No. 269/3, Acres: 0.92

9. Mr. JalliparthiSambashivarao S/o Suryanarayana
R/oH.No. 124, Tatikuntla Village, Vissannapeta Mandal,
NTR District, Vijayawada (Old Krishna district),
Andhra Pradesh-521215
Patta No: 971, Survey No: 308, Acres:2.01

10. Mrs. Jaliparthi Jayalakshmi W/o Patibandla Raghavarao
H:No-1-187, Tatikuntla village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district)
Andhra Pradesh -521215
Patta No: 1444, Survey No. 271/3, Acres: 2.27.

11. Mr. Jaliparthi Ramakrishna S/o Vishnuvardhan Rao
H:No -5-12, Tatikuntla village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district)
Andhra Pradesh -521215
Patta No: 814, Survey No: 263-1, Acres: 3.23

12. Mr. Jaliparthi Sairam S/o Bhimarao,
H:No-4-113, Tatikuntla village, Vissannapeta Mandal,
NTR District, Vijayawada, (Old Krishna district)
Andhra Pradesh-521215
Patta No: 2266, Survey No: 306/1, Acres: 1.04

...Petitioners.

And

1. The Collector and District Magistrate
Tella Gandhi Bomma Road, Perala, Chirala,
Vijayawada, NTR District.
Andhra Pradesh - 523157

2. Chairman & Managing Director, APTRANSCO,
Vidyut Soudha, Gunadala, Eluru Rd, Vijayawada,
NTR District. Andhra Pradesh - 520004

3. Chief Engineer (Construction), APTRANSCO,
Vidyut Soudha, Eluru Rd, Gunadala, Vijayawada,
NTR District, Andhra Pradesh -520004.

... Respondents

This Original Petition has come up for hearing today in the presence of Sri P. Chengal Reddy, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for respondents 2 and 3, that after carefully considering the material available on record and after hearing the arguments of the learned counsel for both parties, the Commission passed the following:

ORDER

This O.P. is filed for the following relief:

- “ i) to direct the 1st respondent to fix RoW land damages compensation @ 250% with interest to the petitioners land within 30 Days as the matter is pending for over 5 years;
- ii) to direct 2nd respondent APTRANSCO to pay compensation within 30 days of issuing proceedings by the 1st respondent Collector; and
- iii) to pass any other order as the Commission deems fit and proper” .

We have heard Sri P.Chengal Reddy, learned counsel for the petitioners and Sri P.Shiva Rao, learned Standing Counsel for respondents 2 and 3. None appeared for respondent No.1.

As far as the prayer in the petition, viz., for grant of compensation at 2.½ times more than the market value in respect of the RoW land, Sri P.Shiva Rao, learned Standing Counsel for respondents 2 and 3, fairly conceded that this aspect is covered by the detailed order dated 21-9-2021 passed by this Commission in

Revision Petition No.1 of 2020 and batch (***R.Ramamurty Naidu Vs. Collector & District Magistrate, SSR Nellore District***).

Though respondent No.2 in its counter has raised an objection relating to limitation, it is not disputed by Sri P.Shiva Rao, learned Standing Counsel for respondents 2 and 3, that the Apex Court categorically held that the period of limitation during the Covid period shall be excluded for the purpose of computing limitation. This Ratio of the Apex Court binds every authority in the country since it is the Law of the Land.

In the light of the above, the OP is allowed in terms of the order dated 21-9-2021 passed in Revision Petition No.1 of 2020 and batch. Accordingly, the prayer to the extent of RoW compensation at 2.½ times more than the land value is allowed. Respondent No.1 shall pay the differential compensation within two months from today.

Sd/-
Thakur Rama Singh
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
P. Rajagopal Reddy
Member