

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)**

**WEDNESDAY, THE SIXTEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND**

**THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO**

**WRIT PETITION NO: 32245 OF 2016**

**Between:**

1. S. Purnachandra Rao, S/o. Sunkara Subba Rao Aged 41 years, Occ Business R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
2. Sunkara Sudhkar, S/o. Sunkara Subba Rao Aged 40 years, Occ Business R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
3. Sunkara Subba Rao, S/o. Sunkara Kammaiaha Aged 62 years, Occ Agriculture R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
4. Sunkara Aruna Kumari, W/o. Sunkara Subba Rao Aged 59 years, Occ House wife R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
5. Sunkara Lakshmi Prasanna, W/o. Sunkara Puma Chander Rao Aged 38 years, Occ House wife R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
6. Sunkara Sravana Jyothi, W/o. Sunkara Sudhakar Aged 32 years, Occ House wife R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
7. Koganti Ramesh Babu, S/o. Koganti Venkataratnam Aged about 46 years, Occ Agriculture R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.
8. Koganti Praveena, W/o. K.Venkataratnam Aged about 39 years, Occ House wife R/o. H.No. 1-1-645, Gandhi Nagar, Musheerabad, Secunderabad.

**.....PETITIONERS**

**AND**

1. State Of Telangana, Rep.by its, Chief Secretary, Secretariat Buildings, Telangana Secretariat, Hyderabad.
2. State of Telangana, Rep.by its Principal Secretary to Government Revenue Department, Secretariat Buildings Telangana Secretariat, Hyderabad.
3. State of Telangana, Represented by its Principal Secretary to Government Industries and Commerce Department Secretariat Buildings, Hyderabad.

4. The Chief Commissioner of Land Administration, Government of Telangana, Bhoomi Bhavan, Nampally Station Road, Hyderabad.
5. The Commissioner, Rehabilitation and Resettlement, Government of Telangana, Buddha Bhavan, Secunderabad.
6. The District Collector & Chairperson, District Level Land Procurement Committee Medak District, Sanga Reddy.
7. The Joint Collector and District Rehabilitation and, Resettlement Authority Medak District, Sanga Reddy
8. The Revenue Divisional Officer, Sangareddy Division.
9. The Tahsildar, Jharasangam Mandal Jharasangam, Medak District.
10. Telangana State Industrial Infrastructure Corporation, (TSIIC), Represented by its Vice-Chairperson and Managing Director, Basheerbagh, Hyderabad.

**.....RESPONDENTS**

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 of mandamus or any other appropriate writ or order or direction

(a) Declaring the "Telangana State Policy for acquisition of land through agreement under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013" issued as annexure to G.O.Ms. No. 75, dated 05-06-2015 and G.O.Ms.No. 123 dated 30-07-2015 along with its amendment in G.O.Ms.No. 190 dated 7-10-2015 and G.O.Ms.No. 214 dated 28-11-2015 issued by the 2nd respondent as ultra vires the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ( Act 30/2013) and quash the same and

(b) declare the action of the respondents in not issuing any notifications U/s. 11(i) and 19 of the Act and not following the procedure established under "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ( Act 30/2013)" as arbitrary, illegal and consequently direct the respondents not to resort to any negotiations process or forcible acquisition and further direct the respondents to follow and implement the provisions of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ( Act 30/2013)."

**I.A.NO:1 OF 2016 (WPMP.NO:39880 OF 2016)**

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend " Telangana State Policy for Acquisition of Land through agreement under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013" issued under G.O.Ms.No.75, dated 5.6.2015 and G.O.Ms.No.123 dated 30.07.2015 along with its amendments in G.O.Ms.No.190 dated 7.10.2015 and G.O.Ms.No. 214 dated 28.11.2015 issued by the 2nd respondent pending disposal of the writ petition.

**Counsel for the Petitioners : SRI PRABHAKAR PERI**

**Counsel for the Respondent Nos.1 to 9 : SRI IMRAN KHAN, ADDL ADVOCATE GENERAL**

**Counsel for the Respondent No.10 : SRI L.PRABHAKAR REDDY**

**The Court made the following ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT PETITION NO. 32245 OF 2016**

**ORDER:** *(per the Hon'ble Sri Justice J.Sreenivas Rao)*

This writ petition is filed for the following relief:

"For the reasons stated in the accompanying affidavit the petitioners herein prays that this Hon'ble Court may be pleased to issue a writ of mandamus or any other appropriate writ or order or direction

- a) Declaring the "Telangana State Policy for acquisition of land through agreement under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013" issued as annexure to G.O.Ms.No.75, dated 05.06.2015 and G.O.Ms.No.123 dated 30.07.2015 along with its amendment in G.O.Ms.No.190 dated 7.10.2015 and G.O.Ms.No.214 dated 28.11.2015 issued by the 2<sup>nd</sup> respondent as ultra vires the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30/2013)" and quash the same and
- b) Declare the action of the respondents in not issuing any notifications u/S.11 (i) & 19 of the Act and not following the procedure established under "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30/2013)" as arbitrary, illegal and consequently direct the respondents not to resort to any negotiations process or forcible acquisition and further direct the respondents to follow and implement the provisions of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30/2013)" and pass such other order or orders in the interest of justice."

2. Heard Sri Peri Prabhakar, learned counsel for the petitioners, Sri Imran Khan, learned Additional Advocate General appearing on behalf of respondent Nos.1 to 9 and Sri L.Prabhakar Reddy, learned

Standing Counsel for Telangana State Industrial Infrastructure Corporation-respondent No.10.

3. Learned counsel for the petitioners submits that the petitioners are residents of Hadnoor Village, Nyalkal Mandal, Medak District apart from being ordinary residents of Hyderabad and all of them are holding agricultural land in Hadnoor Village. Respondents authorities without initiating any land acquisition proceedings as per the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 ( Act No.30 of 2013) are trying to forcible acquisition of the petitioners' land under the Telangana State Government policy for acquisition of lands through agreement under the said Act and respondent No.2 issued as annexure to G.O.Ms.No.75, Revenue (JA & LA) Department, dated 05.06.2015, G.O.Ms.No.123 Revenue (JA & LA) Department, dated 30.07.2015 along with its amendment in G.O.Ms.No.190 Revenue (JA & LA) Department, dated 07.10.2015 and G.O.Ms.No.214 Revenue (JA & LA) Department, dated 28.11.2015 and the same are contrary to the provisions of the Act No.30 of 2013.

4. Learned Additional Advocate General submits that the respondents will follow the provisions of Act No.30 of 2013 only.

5. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals

that respondent No.8 filed counter affidavit wherein it is specifically stated that initially the respondents proposed to acquire the land of the petitioners and others as per G.O.Ms.No.123 for establishment of National Investment and Manufacturing Zone, subsequently in view of the orders passed by this Court in Writ Petition No.25036 of 2016, they had withdrawn the proposed acquisition under G.O.Ms.No.123 and decided to acquire the land of the petitioners as well as others for the purpose of the said project only under the provisions of Act No.30 of 2013.

6. In view of the averments made in the counter affidavit filed by the respondent No.8 in para Nos.4, 6 and 8 as well as the submission made by the learned Additional Advocate General, the grievance of the petitioners is resolved.

7. Accordingly, the Writ Petition is closed. No order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

**SD/- A. SRINIVASA REDDY**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

To

1. Two CC's to Advocate General, High Court for the State of Telangana at Hyderabad. (OUT)
2. One CC to SRI PRABHAKAR PERI, Advocate [OPUC]
3. One CC to SRI L.PRABHAKAR REDDY, Advocate [OPUC]
4. Two CD Copies

SA  
LS

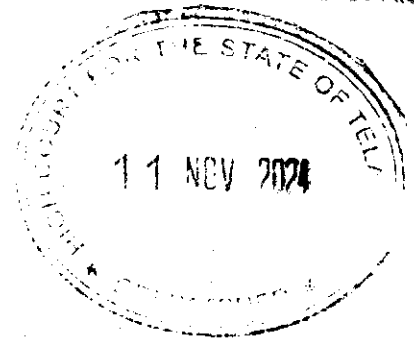
g

**HIGH COURT**

**DATED:16/10/2024**

**ORDER**

**WP.No.32245 of 2016**



**CLOSING THE W.P  
WITHOUT COSTS.**

7 Copies

Sms  
25/10/24