

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

THURSDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**W.P.PIL.Nos.168 of 2016 & 93 OF 2017
AND
W.P.Nos.35176, 35313, 35577 & 39717 OF 2016 AND
15260 OF 2017**

W.P.(PIL) NO: 168 OF 2016

Between:

Badhakal Pavan Kumar, S/o Late. Badhakal Sathyanarayan Reddy, Aged about 45 years, Occ Business R/o IRHS clinic, Dokur, Dokur, Mahbubnagar, Dokur, Telangana-509204

...PETITIONER

AND

1. The State of Telangana Represented by its Principal, Secretary, Irrigation and CAD Secretariat, Hyderabad-022
2. The State of Telangana, Represented by its Principal, Secretary, Revenue Department, Secretariat, Hyderabad-022

...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, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring, the action of respondent government in seeking to make land acquisition by notifying under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (Act 30 of 2013), without initiating the mandatory Social Impact Assessment (SIA) in accordance with Chapter II of the Act of 2013, or an

Environmental Impact Assessment (EIA), for several alleged major irrigation projects to be commenced, by wrongly, maliciously and deliberately, invoking exceptions to social impact assessment, food security and emergency acquisition provisions, including, Sections 6(2), Sections 10(2) and Section (40) of Act 30 of 2013, in order to indirectly coerce the landowners to sell their lands under the draconian G.O.Ms 123 Revenue (JA and LA) Department dated., 30.07.2015 as illegal, arbitrary, violation of Act 30 of 2013, Article 14, Article 21 and Article 300A of the Constitution of India, against the concept of a welfare state and principles of natural justice, and set aside the same.

I.A. NO: 1 OF 2016(WP(PIL)MP. NO: 287 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 Stay all land acquisitions without the mandatory Social Impact Assessment wider the above Act, and Environmental Impact Assessment, including lands sought to be acquired by resorting to exceptions to social impact assessment, food security and emergency acquisition provisions, under Sections 6(2), Sections 10(2) and Section (40) of the Right to Fair Compensation and Transparency ii Land Acquisition, Rehabilitation and Resettlement Act, 2013, (Act 30 of 2013) pending disposal of the main writ petition.

Counsel for the Petitioner: Ms. B. RACHNA REDDY FOR Ms. P. MOUNIKA

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

W.P.(PIL) NO: 93 OF 2017

Between:

Mandhala Raji Reddy, S/o Mandhala Malla Reddy Aged about 70 years Occ Agriculture R/o H.No 1-94, Mustyala (V), Ramagiri Mandal Karimnagar District, Telangana – 506209.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad. 500 022

2. The State of Telangana, Rep. by its Principal Secretary, Irrigation and Command Area, Development Department, Secretariat Buildings, Saifabad, Hyderabad.-500 022
3. The District Collector, Peddapally District, erstwhile Karimnagar District, Telangana State.
4. The Joint Collector, Peddapally District, erstwhile Karimnagar District, Telangana State.
5. The Land Acquisition Officer /Revenue Divisional Officer, Manthani Mandal, Peddapally Division, Peddapally District, erstwhile Karimnagar District, Telangana State.
6. The Tahsildar/ Mandal Revenue Officer (MRO), Manthani Mandal, Peddapally District, Erstwhile Karimnagar District, Telangana State
7. The Tahsildar/Mandal Revenue Officer (MRO), Ramagiri Mandal, Peddapally District Erstwhile Karimnagar District, Telangana State.

...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, Order of direction more particularly one in the nature of Writ of Mandamus Declaring the illegal, forcible, entry by trespass on to the lands in Kasipet, Siripuram, Uppatla villages of Manthani Mandal and Mustyala Village of Ramagiri Mandal, of present Peddapalli and erstwhile Karimnagar District to forcibly take over the lands for construction purposes with accompanying drilling and blasting activity for the construction of Sundilla Barrage and Lift System from Annaram barrage to Sundilla Barrage, without completing the process of land acquisition, for the Lift Irrigation System which is part of 'Kaleshwaram Lift Irrigation Project', where the Respondent Authorities have forcibly already started construction works/activities on lands by dispossessing farmers cultivating the said lands for several decades, by merely announcing an Award Inquiry under Section 21 Right to fair Compensation and Transparency in land Acquisition Rehabilitation and Resettlement Act, 2013 (LA Act 2013) pursuant to B/1279/2016 dt.8.03.2017, to conduct Award Inquiry on 6.04.2017 in the Village of Kasipet, B/906/2016 dt.8.03.2017 to conduct Award Inquiry on 7.04.2017 in Mustyala Village, B/1277/2016 dt.8.03.2017 to conduct Award Inquiry on 6.04.2017 in Siripuram Village and B/1136/2016 dt.8.03.2017 to conduct Award Inquiry on 6.04.2017 in Uppatla Village, by merely notifying a Declaration U/s 19(1) Rule 25, Sub rule 1 of the, (LA Act 30 of 2013), an extent of 60.25 ¼ Acres in Siripuram Village through

G1/162/2016-II dated 20.02.2017, an extent of Ac.70.06 guntas in Mustayala Village No. G1/151/2016-II dt.20.02.2017, an extent of 24.25 ½ Acres in Kasipeta village pursuant to No.G1/160/2016-II dt., 20.02.2017, an extent of Ac136.12½ in Uppatla village pursuant to No.G1/152/2016-II dt. 20.02.2017 pursuant to preliminary notifications No. G1/162/2016-I dt., 13.11.2016 for a total of 109.29 Acres in Siripuram village, No. G1/151/2016-I dt., 9.11.2016, for a total of 70.06 Acres in Mustyala village, No. G1/160/2016-1 dt., 13.11.2016 for a total of 134.32 Acres in Kasipet village, No. G1/152/2016-I dt., 9.11.2016 for a total of Acres 177-05 Acres in Uppatla Village, in spite of objections against the conduct of Award Inquiry already made dt.18.03.2017, without so much as following the basic minimum requirements of the said Section 19, including identification of the resettlement area and publication of the Rehabilitation and Resettlement Scheme, deposit of the amount in full or part for the cost of Acquisition, after revising or updating the market values in accordance with Rule 5 and 9 of the Andhra Pradesh Revision of Market Value Guidelines Rules, 1998, without conducting Social Impact Assessment (SIA) U/s 4 of Chapter II, without complying with the food security provisions U/s 10(A) of Chapter III, without conducting Gram Sabhas as required U/s 11(2), without making any provisions for rehabilitation and resettlement under Chapters V to VIII and Schedules II and III irrespective of farmers/their objections U/s 15, and instead coercing and intimidating the residents of the Village to forcibly give up their lands by making it impossible for them to live or work, continuous construction activity leading to large scale damage of their crops, especially in patta lands not yet acquired, by threatening that amounts deemed fit by the Respondents will be forcibly deposited for 'immediate', possession, and therefore seeks to declare such action as arbitrary illegal in violation of 14, 21 & 300A of Constitution of India and violation of Sections 3(c)(v), Section 3 r(iii), Chapters II, III, Sec 19, Sec 26(3), Sec 30(2) R/w the First Schedule, Chapters V to VIII read with Second and Third Schedules of (Act 30 of 2013) and consequently direct the Respondents to cease and desist from indulging in any arbitrary forcible and illegal, construction activity, including forcible dispossession of the residents of in Siripuram, Uppatla, Kasipet, Mustyala, by nullifying the impugned Declarations U/s. 19(1) Rule 25, Sub rule 1 of the, (LA Act 30 of 2013), an extent of 60.25 ¾ acres in Siripuram Village through G1/162/2016-II dated 20.02.2017, an extent of Ac.70.06 guntas in Mustayala

Village No.G1/151/2016-II dt. 20.02.2017, an extent of 24.25 ½ Acres in Kasipeta Village pursuant to No.G1/160/2016-II dt. 20.02.2017, an extent of Ac.136.12 ½ in Uppatla Village pursuant to No.G1/152/2016-II dt.20.02.2017 including the consequential Award inquiries pursuant to B/1279/2016 dt.08.03.2017, to conduct Award Inquiry on 06.04.2017 in the Village of Kasipet, B/906/2016 dt. 08.03.2017 to conduct Award Inquiry on 07.04.2017 in Mustyala Village, B/1277/2016 dt.08.03.2017 to conduct Award Inquiry on 06.04.2017 in Siripuram Village and B/1136/2016 dt.08.03.2017 to conduct Award Inquiry on 06.04.2024 in Uppatla Village without completing all the necessary acquisition procedures under the Land Acquisition Act, 2013.

I.A. NO: 1 OF 2017(WP(PIL)MP. NO: 167 OF 2017)

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 Stay all further activities relating to construction activities/Blasting works, including dispossession of the residents of Siripuram, Uppatla, Kasipet Villages of Manthani Mandal, Mustyala Village of Ramagiri Mandal, of Peddapalli District, erstwhile Karimnagar District, pending disposal of the Writ Petition in the interest of the justice.

Counsel for the Petitioner: Ms. B. RACHNA FOR Ms. P. MOUNIKA

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

WRIT PETITION NO: 35176 OF 2016

Between:

1. Mohd. Hayathuddin S/o. Basheeruddin, Age 40 years, Occ: Agriculturist Vemulghat Village, Thoguta Mandal, Medak District.
2. Poreddy Janardhan S/o. Meenaiah Age 32 years, Occ: Agriculturist Vemulghat Village, Thoguta Mandal, Medak District.
3. Adiyala Karunakar Reddy S/o. Raghupathi Reddy, Age 32 years, Occ: Agriculturist Vemulghat Village, Thoguta Mandal, Medak District.
4. Sherupally Uppendar Reddy S/o. Venkat Reddy, Aged 30 years, Occ: Agriculturist Vemulghat Village, Thoguta Mandal, Medak District.
5. Nakka Sathya Narayana, S/o. Ramaiah, Age 45 years, Occ: Agriculturist Vemulghat Village, Thoguta Mandal, Medak District.

6. Gandla Srisnailam. S/o. Lingaiah Aged about 30 years, Occ: Agriculturist Vemulghat Village, Thoguta Mandal, Medak District.

...PETITIONERS

AND

1. The State of Telangana, Represented by its Chief Secretary Telangana Secretariat, Hyderabad
2. The State of Telangana, Represented by its Principal Secretary, Irrigation and CAD Department Telangana Secretariat, Hyderabad
3. The State of Telangana, Represented by its Principal Secretary Revenue Department, Secretariat, Telangana Secretariat, Hyderabad
4. The District Collector, Sanga Reddy, Medak District.
5. The Joint Collector, Medak District.
6. The Sub-Collector (Land Acquisition)-cum-Revenue Divisional Officer, Unit-3, Dr. H.R. Ambedkar Pranahita Chevella Sujala Sravanthi Reservoir, Siddipet, Medak District.
7. Tahsildar, Thoguta Mandal, Medak District.
8. Tahsildar Kondapaka Mandal, Medak District.

...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 declaring the notification No. Collector File No. G3/2900/2016, dated 29-9-2016 and Special Deputy Collector file No. B/466/2016 (mentioned as B3/234/2016 in the copy displayed in the GP Office) dated 29-9-2016 issued by the respondent 4 to 6 as arbitrary, illegal in violation of Section 40 of Act 30/2013 and set aside the same and consequently direct the respondents to act according to law and conduct Social Impact Assessment Study before issuing any preliminary notification U/s. 11 (1) of Act 30 of 2013.

I.A. NO: 1 OF 2016(WPMP. NO: 43354 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 the notification in Collector File No. 63/2900/2016, dated 29-9-2016 and Special Deputy Collector file No. B/466/2016 dated 29-9-2016 issued by the

respondents No. 4 to 6 (mentioned as B3/234/2016 in the copy of the notification - displayed in the Gram Panchayat Office) pending disposal of the writ petition.

**Counsel for the Petitioners: Ms. K. KALPANA FOR
SRI K. K. MAHENDER REDDY & SRI PERI PRABHAKAR**

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

WRIT PETITION NO: 35313 OF 2016

Between:

1. Gandla Thirupathi, S/o Gandla Srisailam Aged 36 years, Occ: Agriculture, R/o Vemulaghat Village, Thogutta Mandal Siddipet District (previously Medak District), Telangana
2. Thipparam Kanakaiah, S/o Thipparam Rajaiah Aged 30 years, Occ: Agriculture, R/o Vemulaghat Village, Thogutta Mandal Siddipet District, Telangana
3. Sherpalli Pratap Reddy, S/o Sherpalli Yella Reddy Aged 63 years, Occ: Agriculture, R/o Vemulaghat Village, Thogutta Mandal Siddipet District, Telangana
4. Thumu Jithender, S/o Thumu Venkatesh Aged 34 years, Occ: Agriculture, R/o Vemulaghat Village, Thogutta Mandal Siddipet District, Telangana
5. Mangli Gopal, S/o Ramaiah Aged 39 years, Occ: Agriculture, R/o Vemulaghat Village, Thogutta Mandal Siddipet District, Telangana
6. Vadla Narsimhulu, S/o Balaiah Aged 70 years, Occ: Agriculture, R/o Vemulaghat Village, Thogutta Mandal Siddipet District, Telangana

...PETITIONERS

AND

1. State of Telangana, Represented by its Chief Secretary, Secretariat, Hyderabad
2. State of Telangana, Represented by its Principal Secretary, Revenue Department, Government of Telangana Secretariat, Hyderabad
3. State of Telangana, Represented by its Principal Secretary, Irrigation and CAD, Secretariat, Hyderabad
4. The District Collector, Siddipet District, Siddipet.
5. The District Collector, Medak District, Sangareddy.
6. The Joint Collector Medak District, Sangareddy.
7. The Special Deputy Collector (Land Acquisition), Unit III, Dr. B.R.A. P.C.S.S.P and Revenue Divisional Officer Siddipet, Siddipet (previously Medak) District.

...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 or order more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing the impugned Notification issued by Special Deputy Collector (Land Acquisition) Unit III, Dr. B.R.A.P.C.S.S.P and RDO vide File No. B/234/2016 dated 29-09-2016 as illegal, arbitrary and ultra vires of Section 40 and Section 26(3) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently quash the same. It is further prayed that this Hon'ble Court may direct the Respondents to take measures for updation and special revision of market value of our lands.

I.A. NO: 1 OF 2016(WPMP. NO: 43527 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 direct the respondents to immediately STAY all further proceedings of land acquisition initiated under the impugned Notification issued by Special Deputy Collector (Land Acquisition) Unit III, Dr. B.R.A.P.C.S.S.P and RDO File No. B/234/2016 dated 29-09-2016 pending disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 43528 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 direct the Respondents to conduct Social Impact Assessment study and accordingly prepare Social Impact Management Plan as mandated by Chapter II of the Act 30 of 2013 before issuing any fresh Notification in place of the impugned Notification.

Counsel for the Petitioners: SRI N. S. ARJUN KUMAR

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

WRIT PETITION NO: 35577 OF 2016

Between:

1. Mohammad Hayathuddin S/o. Mohammad Basheeruddin, aged about-45 years, H.No.10-1-103, Bara Imama, Siddipet, Medak, Telangana-502103
2. Yerrannagari Srinivas Reddy S/o. Yerrannagari Laxma Reddy, aged about-38 years, H.No 5-5/1,
3. Poreddy Janardhan S/o. Poreddy Meenaiah, Aged about 39 years, H.No.1-5/1,
4. Sherupally Narsimha Reddy S/o. Sherupally Ram Reddy, Aged about 45 years, H.No. 2-86,
5. Sherupally Upendar Reddy S/o. Sherupally Venkat Reddy, Aged about 29 years, H.No. 2-51,
6. Adiyala Viplava Kumar Reddy S/o. Adiyala Ranga Reddy, Aged about 38 years, H.No. 1-89,

Petitioner 2 to 6 are residents of Vemulagattu, Thoguta Mandal, Medak district, Telangana-502301 Having farming as their Occupation.

...PETITIONERS

AND

1. State of Telangana, Represented by its Principal Secretary, Revenue Department Secretariat, Hyderabad
2. State of Telangana, Represented by its Principal Secretary, Irrigation and CAD Secretariat, Hyderabad
3. State of Telangana, Represented by its Principal Secretary Stamps and Registrations Secretariat, Hyderabad.
4. The District Collector, Siddipet District, Siddipet.
5. The Revenue Divisional Officer, Siddipet District.
6. The Tahasildar Thoguta Mandal Thoguta, Siddipet District.

...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, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring, the acquisition of lands vide Form-VI vide Collector File No: G3/2900/2016 and Joint Collector File No: B/466/2016 both dated., 29.09.2016, as per the Notification under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, (Act 30 of 2013), in the mandal of Kondapak and Thoguta mandals for the villages of Yerravalli and Vemulaghat of an acreage of Ac 161.25

guntas and Ac 775 01 3/4 guntas for the alleged public purpose of Dr. B. R. Ambedkar Pranahita Chevella Sujal, Sravanti Project reservoir (Mallannasagar reservoir) without first revising the market value as per the Andhra Pradesh Revision of Market Value Guideline Rules, 1998 issued in G.O.Ms.No.301, Revenue(Regn.I) Department, date 04.05.1998 and later amended pursuant to GOMS No 509 Revenue (Regn.I) Department, dated 1.05.2006, amongst others, and instead threatening landowners that they would acquire lands according to a base registration value of Rs.60,000/- per acre, not renewed for several years, by wrongly invoking the emergency provision under Section 40 of Act 30 of 2013, thus indirectly coercing them to sell their lands under the draconian G.O.Ms 1213 Revenue (JA and LA) Department dated: 30.07.2015 as illegal. arbitra4, violation of Act 30 of 2013, Andhra Pradesh Revision of Market Value Guidelines Rules, 1998, Article 14 and Article 21 of the Constitution of India, against the concept of a welfare state and principles of natural justice, and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 43825 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 STAY all land acquisitions in the schedule area comprising the villages of Vemulaghat and Yerravalli without revision and updating of market values including, the acquisition of lands vide Form-VI vide Collector File No: G3/2900/2016 and Joint Collector File No: B/466/2016 both dated: 29.09.2016, pending disposal of the main writ petition.

Counsel for the Petitioner: Ms. B. RACHNA REDDY FOR Ms. P. MOUNIKA

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

WRIT PETITION NO: 39717 OF 2016

Between:

1. Gandla Pandu. S/o. Gandla Sri Sailam Aged about 32 years, Occ: Agriculturist R/o. 3-55, Vemlaghat Village Thougutta Mandai, Medak District.
2. Thutkuri Chinna Raji Reddy, S/o. Thutkuri Laxmaiah, R/o. H.No. 4036, Thouguta Mandal, Vemulaghat, Medak District

3. Gandla Nagaiah, S/o. Ganda Lingaiah, H.No. 3-87, Vemulaghat Village, Thouguta Mandal, Medaki District.

...PETITIONERS

AND

1. The State of Telangana Represented by its Chief Secretary, Telangana Secretariat, Hyderabad
2. The State of Telangana Represented by its Principal, Secretary, Irrigation and CAD Department Telangana Secretariat, Hyderabad
3. The State of Telangana Represented by its Principal, Secretary Revenue Department, Secretariat, Telangana Secretariat, Hyderabad.
4. The District Collector, Sanga Reddy, Medak District.
5. The Joint Collector, Medak District.
6. The Sub-Collector (Land Acquisition)-cum-Revenue, Divisional Officer, Unit-3, Dr. B.R. Ambedkar Pranahita Chevella, Sujala Sravanthi Reservoir, Siddipet, Medak District.
7. Tahsildar, Thoguta Mandal, Medak District.
8. Tahsildar Kondapaka Mandal, Medak District.

...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 declaring the notification of Special Deputy Collector file No. B/234/2016 (mentioned as B3/234/2016 in the copy displayed in the GP Office) dated 29-9-2016 issued by the respondent 4 to 6 as arbitrary, illegal in violation of Section 40 of Act 30/2013 and set aside the same and consequently direct the respondents to act according to law and conduct Social Impact Assessment Study before issuing any preliminary notification U/s. 11 (1) of Act 30 of 2013.

I.A. NO: 1 OF 2016(WPMP. NO: 48939 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 suspend the notification in Special Deputy Collector file No. B/234/2016 dated 29-9-2016 issued by the respondents No. 4 to 6 (mentioned as B3/234/2016 in the copy of the notification - displayed in the Gram Panchayat Office) pending disposal of the writ petition.

**Counsel for the Petitioners: Ms. K. KALPANA FOR
SRI K. K. MAHENDER REDDY& SRI PERI PRABHAKAR**

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

WRIT PETITION NO: 15260 OF 2017

Between:

1. Maram Vanitha, W/o. Mahendar, Aged about 30 years
2. Allam Venkatamma, W/o. Rajaiah, Aged about 50 years
3. Pendru Srinivas Reddy, S/o. Rajireddy, Aged about 44 years
4. Mallempalli Chandraiah, S/o. Lachaiah, Aged about 80 years
5. Mada Shankamma, W/o. Rajireddy, Aged about 60 years

All are residents of Goilwada Village, Anthargaon Mandal, Peddapalli District, (erstwhile Karimnagar), Telangana State

...PETITIONERS

AND

1. State of Telangana, Represented by its Principal Secretary, Revenue Department (Lands), T. S Secretariat buildings, Hyderabad
2. State of Telangana, Principle Secretary, Irrigation and Command Area Development department, Secretariat Buildings, Hyderabad.
3. District Collector, Peddapalli District, Peddapalli
4. District Joint Collector, Peddapalli District Peddapalli
5. Land Acquisition officer cum R.D.O., Peddapalli Division Peddapalli District
6. Mandal Tahsildar, Anthargaon mandal, Peddapalli District
7. Executive Engineer, Sundilla barrage and pump house, Kaleshwaram Project Ramagundam Peddapalli District.

...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 or order more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in passing of awards and taking possession of our lands without following due process of law as illegal, arbitrary, unconstitutional, against the principles of natural justice, in direct violation of the provisions of Act 30 of 2013 and T.S RFCTLARR Rules, 2014 and offending our rights under Article 14, Article 21 and Article 300A of the constitution

of India and consequently set aside the awards passed with respect to our lands notified under 19(1) declaration vide No. G1/74/2016 dated -01-2017 and direct the respondents to immediately handover the lands to us after restoring them to their previous position existing as on 14.04.2017.

I.A. NO: 1 OF 2017(WPMP. NO: 18843 OF 2017)

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 the awards passed by the 5th Respondent for the lands notified under 19(1) declaration vide No. G1/74/2016 dated -01-2017 and any subsequential action thereof including payment of compensation into our bank accounts, handing over the possession to 3rd parties and taking up of any kind of works in those lands, pending disposal of this writ petition.

I.A. NO: 2 OF 2017(WPMP. NO: 18844 OF 2017)

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 direct the respondents to immediately restore the said lands under acquisition to their previous position existing as on 14.04.2017 in terms of title, possession and topography.

Counsel for the Petitioners: SRI CH. RAVI KUMAR

**Counsel for the Respondents: Mr. MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

The Court made the following: COMMON ORDER

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

W.P.PIL.Nos.168 of 2016 & 93 of 2017

and

W.P.Nos.35176, 35313, 35577 & 39717 of 2016 and 15260 of 2017

COMMON ORDER: (per the Hon'ble the Chief Justice Alok Aradhe)

Ms. P. Mounika, learned counsel appears for Ms. B. Rachna, learned counsel for the petitioners in W.P.PIL.Nos.168 of 2016 and 93 of 2017 and W.P.No.35577 of 2016.

Mr. C.H. Ravi Kumar, learned counsel appears for the petitioners in W.P.No.15260 of 2017.

Ms. K. Kalpana, learned counsel appears for Mr. K.K. Mahender Reddy, learned counsel for the petitioners in W.P.Nos.35176 and 39717 of 2016.

Mr. Mohd. Imran Khan, learned Additional Advocate General appears for the State.

2. In these Writ Petitions, the petitioners are aggrieved by the action of the respondents in initiating proceedings for

acquisition of their lands in violation of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the 2013 Act').

3. Learned Additional Advocate General submits that under the provisions of the 2013 Act, an Award has already been passed and in the cases where the Award under Section 31 of the 2013 Act with regard to the rehabilitation and resettlement has not been passed in favour of the land owners, the same shall be passed in the cases of eligible land owners.

4. In view of aforesaid submissions and taking into account the fact that the subject project has already been completed, it is directed that in the cases where the land owners have not been extended the benefit of the Award under Section 31 of the 2013 Act and are eligible, the same shall be extended to them within three (3) months from the date of receipt of the copy of the order passed today.

5. With the aforesaid directions, the Writ Petitions are disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

SDI-B. SARASWATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Saifabad, Hyderabad - 500 022
2. The Principal Secretary, Irrigation and Command Area Development Department, State of Telangana, Secretariat Buildings, Saifabad, Hyderabad - 500 022
3. The District Collector, Peddapally District, erstwhile Karimnagar District, Telangana State.
4. The Joint Collector, Peddapally District, erstwhile Karimnagar District, Telangana State.
5. The Land Acquisition Officer/Revenue Divisional Officer, Manthani Mandal, Peddapally Division, Peddapally District, erstwhile Karimnagar District, Telangana State.
6. The Tahsildar/Mandal Revenue Officer (MRO), Manthani Mandal, Peddapally District, Erstwhile Karimnagar District, Telangana State.
7. The Tahsildar/Mandal Revenue Officer (MRO), Ramagiri Mandal, Peddapally District Erstwhile Karimnagar District, Telangana State.
8. The Chief Secretary, State of Telangana, Telangana Secretariat, Hyderabad
9. The District Collector, Sanga Reddy, Medak District.
10. The Joint Collector, Medak District.
11. The Sub-Collector (Land Acquisition)-cum-Revenue Divisional Officer, Unit-3, Dr. H.R. Ambedkar Pranahita Chevella Sujala Sravanthi Reservoir, Siddipet, Medak District.
12. The Tahsildar, Thoguta Mandal, Medak District.
13. The Tahsildar Kondapaka Mandal, Medak District.
14. The District Collector, Siddipet District, Siddipet.
15. The District Collector, Medak District, Sangareddy.
16. The Joint Collector Medak District, Sangareddy.

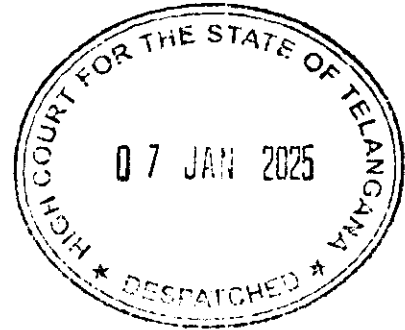
17. The Special Deputy Collector (Land Acquisition), Unit III, Dr. B.R.A. P.C.S.S.P and Revenue Divisional Officer Siddipet, Siddipet (previously Medak) District.
18. The Principal Secretary Stamps and Registrations, State of Telangana, Secretariat, Hyderabad
19. The Revenue Divisional Officer, Siddipet District.
20. The Tahasildar Thoguta Mandal Thoguta, Siddipet District.
21. The District Collector, Peddapalli District, Peddapalli.
22. The District Joint Collector, Peddapalli District Peddapalli.
23. The Land Acquisition officer cum R.D.O., Peddapalli Division Peddapalli District.
24. The Mandal Tahsildar, Anthargaon mandal, Peddapalli District.
25. The Executive Engineer, Sundilla barrage and pump house, Kaleshwaram Project Ramagundam Peddapalli District.
26. One CC to Ms. B. RACHNA REDDY, Advocate [OPUC]
27. Two CCs to the Mr. MOHD. IMRAN KHAN, Advocate General, High Court for the State of Telangana at Hyderabad [OUT]
28. One CC to SRI K. K. MAHENDER REDDY & SRI PERI PRABHAKAR, Advocates [OPUC]
29. One CC to SRI N. S. ARJUN KUMAR, Advocate [OPUC]
30. One CC to SRI CH. RAVI KUMAR, Advocate [OPUC]
31. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad [OUT]
32. Two CCs to GP for Land Acquisition, High Court for the State of Telangana at Hyderabad [OUT]
33. Two CCs to GP for Stamps and Registration, High Court for the State of Telangana at Hyderabad [OUT]
34. Two CCs to GP for Irrigation and Command Area Development, High Court for the State of Telangana at Hyderabad [OUT]
35. Two CCs to GP for General Administration, High Court for the State of Telangana at Hyderabad [OUT]
36. Two CD Copies

MP
BS



HIGH COURT

DATED:06/06/2024



COMMON ORDER

W.P.PIL.Nos.168 of 2016 & 93 OF 2017
AND
W.P.Nos.35176, 35313, 35577 & 39717 OF 2016 AND
15260 OF 2017

DISPOSING OF THE WRIT PETITIONS

WITHOUT COSTS

Handwritten signature and date:
~~428~~
~~26/7/2024~~