

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.15430 of 2015

BETWEEN

Nadem Lingaiah and others.

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary, Irrigation and CAD Department,
Telangana Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioners: MR. E.MADAN MOHAN RAO

Counsel for the Respondents: GP FOR LAND ACQUISITION (TG)

The Court made the following:

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ORDER:

Petitioner claims that their lands with structures are being acquired by virtue of notification under Section 4(1) of the Land Acquisition Act (for short 'the Act') published in the local newspapers on 11.09.2013. Petitioners state that various structures of each of the petitioner existing in the said land are not being taken into consideration and it is likely that the respondents would issue notice under Section 6 of the Act without including the structures. Petitioners, therefore, made individual representations dated 16.09.2013 and 19.09.2013 and the copies of which are filed as Ex.P1. Petitioners also rely upon similar request of adjacent residents, who also had similar grievance against the same notification and that their case was considered by this Court in WP.No.19732 of 2012 dated 02.07.2012.

Since the petitioners herein also seek similar relief, the writ petition is disposed of with similar direction, extracted hereunder:

"In the light of the above submission of the learned Government Pleader, the Writ Petition is disposed of with a direction to respondent No.3 to consider the petitioners' representation and communicate his decision to the petitioners as to whether the structures claimed to be in existence will be

included in the proposed 4(1) notification or not. In the event, respondent No.3 does not propose to include the structures, he shall assign reasons therefor in the order to be passed and communicated by him to the petitioners."

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

June 4, 2015

DSK