

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.36823 of 2015

ORDER:

Heard.

Respondents 5 to 7 along with others appeared to have consented for giving their lands for establishment of Hyderabad Green Pharma City in terms of G.O.Ms.No.45, dated 22-07-2015 issued by the Government of Talangana. Under the said G.O., respondents 1 to 4 stated to have acquired various extents of lands from various owners in Sy.No.288 of Mutcharla Village, Kandukuru Mandal, Ranga Reddy District. The petitioner claims title over the lands consented to by respondents 5 to 7 and stated to have filed a suit for partition being O.S.No.660 of 2015 before the Principal District Judge, Ranga Reddy District and sought a direction against respondents 1 to 4 not to pay any compensation for the land covered by the said partition suit to respondents 5 to 7. A legal notice to that effect was issued on behalf of the petitioner on 11-09-2015 to the Joint Collector-I, Ranga Reddy District. Alleging that no action is taken, the present writ petition is filed.

As is evident from the above, various owners including respondents 5 to 7 stated to have consented for giving their lands in terms of the policy of the Government under G.O.Ms.No.45, referred to above. Hence, the acquisition appears to be not by following the Land Acquisition Act but by consent. Hence, the agreed amount payable to each owner by virtue of the consent cannot be interdicted by the petitioner, merely because she has filed a suit for partition against respondents 5 to 7. Mere filing of the suit is, therefore, no ground to grant the relief as sought for in the writ petition. Hence, I see no reason to entertain the writ petition.

Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 16-11-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.36823 of 2015

16-11-2015

Prv