

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.35406 of 2015

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15.12.2015

Between:

S.Vinay Kumar and others

.. Petitioners

and

The State of Telangana, represented by its Secretary,
Endowments Department, Hyderabad and another

.. Respondents

Counsel for the petitioners: Mr.G.Madhusudhan Reddy

Counsel for respondent Nos.1 and 2: Assistant Government Pleader
for Endowments (TS)

Counsel for respondent No.3: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of the respondents in utilizing the petitioners' land admeasuring Acs.2.16 gts. in survey No.359 of Muthyampet Village, Mallial Mandal, Karimnagar District, without paying compensation, as illegal and arbitrary.

Mr.Ch.Satish Kumar, learned standing counsel for the Endowments (TS) appearing for respondent No.3 Devasthanam, stated that counter-affidavit is filed in the Registry. However, the same is not put on file. Be that as it may, he has submitted that as Sri Anjaneyaswamyvari Devasthanam, Kondagattu, Karimnagar District, intended to utilize the aforementioned land, notice was issued to the petitioners on 18.10.2014 requesting them to give their consent in respect of the value of the land they are agreeable to receive as compensation and that while the negotiations are pending, they have filed this writ petition. He has further submitted that after the case was adjourned on 01.12.2015, the petitioners attended the negotiations and demanded higher amount, which is not acceptable to the Devasthanam. He has also submitted that as the negotiations failed, the Devasthanam is not proposing to use the subject land and that the petitioners shall be free to use the said land without any hindrance. Mr.G.Madhusudhan Reddy, learned counsel for the petitioners, has agreed to this submission.

In view of the above facts, as the negotiations between the parties over the terms on which the Devasthanam seeks to utilize the petitioners' land to an extent of Acs.2.16 gts have failed, it shall not interfere with the petitioners' peaceful possession and enjoyment of the said land.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.45496 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

15th December, 2015

GHN