

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23163 OF 2016

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ORDER:

The case of the petitioner is that the Government issued notification dated 18.12.2015 in File No.G1/5184/2015 for acquiring the land admeasuring Ac.3.00 guntas in Survey No.692/E, situated at Nandi Medaram Village, Dharmaram Mandal, Karimnagar District, for the purpose of extension of the Medaram village tank under the package of Dr.B.R.Ambedkar Pranahitha Chevella Sujala Sravanthi Link-II, Pacakge No.7 under G.O.Ms.No.123. Though the aforesaid land is belonging to both the petitioner and 4th respondent, in the notification the name of the 4th respondent alone is mentioned as owner and possessor of the subject land. Soon after noticing the same, the petitioner made application before the 3rd respondent on 28.12.2015 and on 22.01.2016 with a request not to pay the sale consideration amount to the 4th respondent alone as she has no right over the total extent of the land. As no action is being taken by the respondents on the said representation, the petitioner filed OS.No.15 of 2016 on the file of the Senior Civil Judge at Peddapally for partition and cancellation of the sale deed executed in favour of the Government and also filed IA.No.25 of 2016 for grant of ad-interim injunction and the same are pending. While so, the petitioner again made an application on 06.05.2016 before the 3rd respondent and the 4th respondent also made an application on 24.06.2016 claiming compensation. Basing on the said applications, the 3rd respondent issued notice to the petitioner and the 4th respondent to appear before him and submit all the relevant documents on 27.06.2016. Accordingly the petitioner submitted all the relevant documents to the 3rd

respondent. In spite of the same, the 3rd respondent is making attempts to pay the compensation to the 4th respondent. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition.

Since the petitioner already availed alternative remedy by filing suit in OS.No.15 of 2016 along with IA.No.25 of 2016 for grant of ad-interim injunction and also filed objections before the 3rd respondent claiming equal share in the subject property, I do not see any reason to entertain the writ petition. However, it is open for the petitioner to agitate his rights in the suit and also in the IA filed along with the suit. Further, the 3rd respondent is also to consider the objections of the petitioner before disbursing the compensation amount to the 4th respondent.

With the above observations the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

22.07.2016

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