

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.23624 OF 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleaders for Revenue and R&B (Telangana).

The grievance of the petitioner is that he is the absolute owner and possessor of agricultural lands to an extent of Ac.10-04 guntas in Sy.No.556, to an extent of Ac.04-4 ½ guntas in Sy.No.557, to an extent of Ac.03-14 guntas in Sy.No.558 and to an extent of Ac.04-27 guntas in Sy.No.559 situated in Lal Gadi Malakpet Village, Shameerpet Mandal, Ranga Reddy District. Be that as it may, the respondent authorities without conducting any survey or preliminary enquiry and without issuing any notification or notices has acquired his land for the purpose of laying the Service Road from Adilabad "X" Road to Laxmapur, therefore he lost his right to hearing of the objections as per the Land Acquisition Act, 1894 or under any law. Hence the writ petition.

Considering the grievance of the petitioner and also the settled legal position that the citizens property rights under Article 300-A of the Constitution of India are to be protected, it is appropriate to direct the respondent authorities not to interfere with the possession and enjoyment of the petitioner and not to carry out any work or other activities over the land in question without following due process of law and without paying compensation as required under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any pending in the Writ Petition, shall stand closed.

CHALLA KODANDA RAM, J

Date:02.08.2016
Ssv