

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.12757 of 2009

ORDER:

This writ petition was filed challenging the action of the respondents in trying to lay ring road through the lands of the petitioners without following due process of law.

2. The petitioners claim to be owners of certain extents of lands in Sy.Nos.326 and 343/A, situated at Kanteshwar Village, Nizamabad Mandal and District. When the respondents proposed to lay a ring road connecting from national highway, Hyderabad road to Bodhan road leading to Nanded national highway, Maharashtra State, through the lands of the petitioners, they submitted a representation on 25.05.2009 requesting the respondents not to dispossess them from their lands without following due process of law.

3. This Court, by order dated 06.08.2009, directed the respondents not to dispossess the petitioners from the subject lands nor lay any road without following due process of law.

4. A counter-affidavit is filed by the third respondent denying taking possession of the lands of the petitioners without following due process of law. It was stated that the Government, vide G.O.Rt.No.1438, dated 23.09.2008, accorded administrative sanction for Rs.5000.00 lakhs for formation of bypass road to Nizamabad town and a provision was made for an amount of Rs.1600.00 lakhs towards land acquisition. Out of the said amount, an amount of Rs.7,90,30,000/- was deposited with the Revenue Divisional Officer, Nizamabad towards land acquisition. Another amount of Rs.8,00,00,000/- was also deposited with him. The District Administration, through Revenue Divisional Officer, Nizamabad, published a draft notification and draft declaration and the award process

was in progress. The Land Acquisition Officer handed over the subject lands after due completion of land acquisition.

5. In view of the above facts, it is open to the petitioners to receive the compensation amount awarded under the award, and if they are aggrieved, they can approach the competent Civil Court for enhancement of the compensation.

6. With the above observation, the writ petition is disposed of. No order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 23.02.2016

TJMR