

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21308 OF 2006

ORDER:

The petitioners claim to be the owners of land and structures in Nandimala Village, Atmakur Mandal, Mahabubnagar District. Their lands and structures were acquired by the government for construction of Jurala Project. The case of the petitioners is that when the government refused to acquire the structures standing on their lands, the affected parties had approached this Court by filing Writ Petition No. 12879 of 2005, which was allowed by the order dated 25.07.2005 directing the government to include the existing structures for the purpose of determining the compensation. Writ Appeal No. 1985 of 2005 filed by the government thereagainst was dismissed on 24.10.2005. The government has issued G.O.Ms.No. 147, dated 02.04.1981 by virtue of which the petitioners are entitled to take away the wood and other construction material standing on their lands, which are being acquired by the government.

While so, the government has also issued the memo dated 07.09.2006, directing the Special Collector, Srisailam, Kurnool to auction the wood rafts existing over the acquired land and further directed the Superintending Engineer, Priyadarsini Jurala Project, Gadwal to take possession of the acquired land. The petitioners are now challenging the said order dated 07.09.2006, in the light of the directions issued in G.O.Ms.No. 147, dated 02.04.1981.

Heard learned counsel for the petitioners as well as learned Government Pleaders for Irrigation and Land Acquisition (Telangana).

In view of the judgment dated 24.10.2005 rendered by the Division Bench of this Court in Writ Appeal No. 1985 of 2005, without going into the merits of the matter any further, this Court feels it appropriate to dispose of this Writ Petition in terms thereof. Ordered accordingly.

Consequently, the miscellaneous applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J

26th September 2016

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