

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22376 of 2016

ORDER:

This Writ Petition is filed seeking the following relief:

“...declaring the action of the respondents in not including the names of the petitioners as owners of H.No.3-15, 1-38/1 and 3-15/1 at Bandaraipakula Village, Gopalpet Mandal, Mahabubnagar District, by duly considering their affidavit, dated 23.12.2015, submitted along with their documents as owners of the above houses for inclusion of their names in the impugned notification issued by the 2nd respondent in file No.G1/1681/2016, dated 01.06.2016 and going ahead to disburse the compensation to third parties, without considering the objections, dated 21.06.2016, submitted the petitioners, as arbitrary and illegal...”

2. In the affidavit filed in support of the petition, it is stated that the aforementioned property belongs to father of petitioner No.1 and after his death, it was devolved upon the petitioners and their names were also entered in Grampanchayat records as owners. They also obtained Aadhar card, Ration card and voter ID as being the residents of the said houses at Bandaraipakula Village.

While things stood thus, Government acquired lands in the entire village of Bandaripakula Village for the purpose of construction of reservoir under Palamoor-Ranga Reddy Irrigation Scheme.

Accordingly, the entire village is to be submerged in the said reservoir for construction of Yedula reservoir. The Government issued notification for payment of compensation in respect of agriculture land owners and also separate notification, dated 01.06.2016 was issued for payment of compensation in respect of houses situated in Bandaraipakula Village and call for objections from the villagers, who got any right and title over the houses mentioned in the said notification. Accordingly, petitioners submitted a notarized affidavit

claiming compensation in respect of aforementioned houses.

Pursuant to the said notification, the petitioners also submitted their objections on 21.06.2016 to the respondents by enclosing necessary documents. However, the respondents having received the same, they did not pass any orders and proceeding to pay compensation to the alleged owners as mentioned in the notification. But, the petitioners are owners of aforementioned houses and they are entitled to receive compensation.

3. Heard learned counsel for the petitioners and Special Government Pleader appearing for Advocate General and learned Assistant Government Pleader for Revenue.

4. Respondent No.4 filed counter disputing the claim made by the petitioners regarding ownership of aforementioned houses. At para 6 of the counter, it is stated that the objections filed by the petitioners pursuant to the notification, dated 01.06.2016, is under enquiry and soon after completion of enquiry, action will be taken for payment of compensation.

5. In view of the above, it is for the authority concerned to take action on the objections, dated 21.06.2016, submitted by the petitioners pursuant to the notification, dated 01.06.2016, for payment of compensation to the eligible persons. If any decision is taken on the objections, dated 21.06.2016, filed by the petitioners, the same shall be communicated to the petitioners.

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

A.RAJASHEKER REDDY, J

JULY 19, 2016

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Date: 19.07.2016

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