

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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W.P. No. 27646 of 2016

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DATE: 22.08.2016

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Between:

Sama Ramachandra Reddy
and another .. Petitioners

And

The State of Telangana
and five others .. Respondents

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ORDER:-

This writ petition is filed for the following substantive relief:

“...to issue a writ, order or direction more particularly one in the nature of Mandamus declaring the action of respondents Nos.2 to 4 in not paying compensation having acquired portion of the petitioners’ land in Sy.No.145 situated in Nuthankal village and Mandal, Nalgonda District for the purpose of constructing Mandal Revenue Office, as illegal, arbitrary and in violation of principles of natural justice and consequently direct them to pay compensation for portion of the acquired land and also direct respondent Nos.4 and 5 not to dispossess the petitioners from their land.”

It is an admitted fact that for the aforesaid relief, the petitioners have not approached respondent Nos.2 and 3, who have jurisdiction to decide the same.

The learned counsel for the petitioners has submitted that the brother of the petitioners made an application dated 01.08.2016 to the 4th respondent – Tahsildar under Right To Information Act, 2005 requesting him to furnish information regarding the extent of the petitioners’ land utilized for construction of the building for Mandal Revenue Office and payment of compensation therefor, but till date, no communication has been received from the

authority.

In view of the averments made in the writ affidavit and the submission of the learned counsel for the petitioners, this Court deems it appropriate to dispose of the writ petition with the following direction:

The petitioners are at liberty to make a representation to respondent Nos.2 and 3, and on such representation being made, respondent Nos.2 and 3 shall consider the same and pass appropriate orders thereon, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision that may be taken to the petitioners within a period of one week thereafter. Till such time, the respondents shall not dispossess the petitioners from their land in Sy.No.145 situated in Nuthankal village and Mandal, Nalgonda District without following the due process of law.

It is made clear that inasmuch as the application dated 01.08.2016 submitted by the petitioners' brother to the 4th respondent has not yet been acted upon, the petitioners are also at liberty to approach the appellate authority, if any, as may be provided under the Right To Information Act, 2005 for redressal of their grievance.

With the above direction, this writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

22.08.2016

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