

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.2119 of 2016

BETWEEN

Kondaparthi Ajay.

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary, Minor Irrigation Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 03.02.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioner claims to be owner of the land, in question, but alleges that respondents 4 and 5, claiming themselves as owners, have given consent in terms of G.O.Ms.No.123 dated 30.07.2015 and based on that, compensation is stated to be under process of payment to respondents 4 and 5. Petitioner states that as soon as he came to know of the action of respondents 4 and 5 in claiming the land,

in question, he filed his objections before the second respondent. Petitioner seeks a direction that pending consideration of his objections, the compensation amount shall not be paid to respondents 4 and 5 and in any case, shall be kept in deposit for adjudication of title.

2. Instructions received by the learned Government Pleader show that by consent the land, in question, is acquired in terms of G.O.Ms.No.123 dated 30.07.2015 and no claim or objections were received within the stipulated time in terms of the said G.O. Petitioner's objections dated 09.01.2016 are stated to have been received after the time for receiving objections has expired and in the meanwhile, registered sale deed is also executed in favour of the Government by respondents 4 and 5.

3. In view of the above, it is clear and evident that there title dispute between the petitioner and respondents 4 and 5, for which, the petitioner will have to seek relief from the competent Court and no such relief can be granted in this writ petition, as it would amount to adjudication of title between the petitioner and respondents 4 and 5.

The writ petition is dismissed. As a sequel the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 3, 2016
DSK

