

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION.No.19669 of 2016

ORDER:

Heard Mr. Kiran Tirumalsetty for petitioner and Mr. R. Vinod Reddy for respondents 2 to 4.

2. The grievance of petitioner is that respondents 2 to 4 are trying to install Hi-Tension Electricity Lines in Sy.Nos.116/E, 117/E, 120/A, 120/AA and 116/A situated at Suddalapalli Village, Dichpally Mandal, Nizamabad District without notice, following the procedure prescribed in this behalf much less paying compensation to petitioner.

3. In support of petitioner's entitlement and possession, documents of title and possession certificates are placed on record. Therefore, the petitioner prays for appropriate direction either restraining respondents from installing hi-tension lines and/or direct respondents to appropriately compensate for installing hi-tension lines in the lands of petitioner.

4. Learned standing counsel submits that under the Telegraph Act and having regard to the exigency of work undertaken by the Department, to the extent law permits, respondents have acted and as regards payment of compensation is concerned, it is stated that the District Collectors are empowered to redress the grievance of denial of enjoyment of land by petitioner. He submits that the petitioner can be given liberty to represent to respondents 3 and 4 and also the District Collector, Nizamabad for appropriate relief in this behalf.

5. With the consent of learned counsel appearing for the parties and having regard to the necessity of impleading the District Collector, Nizamabad as respondent No.5, this Court *suo motu* directs impleadment of the District Collector, Nizamabad as respondent No.5. Office is directed to amend the cause title by impleading the District Collector, Nizamabad as

respondent No.5.

6. The writ petition can be disposed of by this order.

The petitioner to apply to respondents 3, 4 and 5 about his grievance in the installation of Hi-Tension Lines through Sy.Nos.116/E, 117/E, 120/A, 120/AA and 116/A by enclosing a copy of this order within two (2) weeks from today. The fourth respondent is forthwith directed to cause fresh inspection to ascertain the extent to which the rights of the petitioner are affected and forward a report to the fifth respondent. The fifth respondent is directed to pass appropriate orders within four (4) weeks thereafter and the amounts are paid forthwith.

If the petitioner is still aggrieved by determination of the District Collector/fifth respondent, the remedies open to him, in law, are kept in tact.

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

S. V. BHATT, J

June 22, 2016
DSK