

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.25377 of 2016

ORDER:

Vide the present petition, the petitioners seeks direction thereby directing the respondents to pay compensation or solatium to their lands in an extent of Ac 15.00 gunts in Sy Nos.53/1, 52/1, 121/1, 117/1, 121/2, 117/4, 53/3, 52/3, 121/3, 117/5, 121/5, 117/10, 133/5 A and 869/2 of Gajulapuram Village, Tripuram Mandal, Nalgonda District, which were acquired by the respondents under the Land Acquisition Act for public purpose i.e., road widening.

Heard both sides.

Learned counsel for the petitioners submitted that the respondents have not paid any compensation or solatium to the petitioners under the Act. The petitioners submitted a representation dated 27.06.2016 to respondent No.2, however, till date no decision has been taken by the respondents, whereas the respondents have already started work for widening the road.

Learned Government Pleader for Land Acquisition appearing on behalf of respondents, on instructions, submits that Panchayat Raj Department handed over 15 meters width road in the year 1988, to R&B Department and it is being maintained by R&B department. As per

G.O.Rt No.130, dated 27.11.2014 of TR & B, it is proposed to widen the single lane road to double lane road from km.0/0 to 13/965 from Tripuraram to Kukkadam road within the existing 15 Mtrs width road, by widening the existing road @ 7.5 meters on either side from the centre of the existing road. It is further stated that no land acquisition proceedings are required for road widening. It is also stated that the petitioners have occupied the road margin lands on either side of the road from Km.0/0 to 13/965, and hence, the acquisition of the petitioners land does not arise.

In view of the controversy, I hereby direct respondents No.2 and 3 to demarcate the land of the petitioners as per land procedure, and if it is found that the land of the petitioners has been used in road/widening on either side of the road, the compensation as per law, shall be paid to be petitioners. If after demarcation, the respondents come to the conclusion that the land of the petitioners is not used for road widening, the decision taken by the respondents shall be conveyed to the petitioners in writing within one week thereafter. The whole exercise shall be completed within four (04) weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date :31-08-2016

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