

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

W.P. No. 32658 of 2016

DATE: 26.09.2016

Between:

Mohd. Mohamood
and four others

.. Petitioners

And

The State of Telangana
and 22 others

.. Respondents



ORDER:-

This writ petition is filed for the following substantive relief:

“...to issue a Writ of Mandamus directing respondent Nos.1 to 3 to follow the procedure contemplated in the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 while acquiring lands in Sy.Nos.234, 260, 261 and 262 of Gadicherlapalli, H/o. Sddepot village and determine the claims of rival claimants and then proceed to acquisition by declaring the hasty action of respondent Nos.1 to 3 in issuing G.O.Ms.No.123 Revenue (JA and LA) Department dated 30.07.2015 for acquiring the lands of the petitioners, as illegal and arbitrary.”

The learned Government Pleader for Land Acquisition appearing for respondent Nos.1 to 4, on instructions, has submitted that the Government issued Notification in File No. G3/ 2900/ 2016, dated 17.09.2016 and insofar as the petitioners' lands are concerned, they shall not be acquired as per the guidelines enumerated in the orders issued by the Government in G.O.Ms.No.123, dated 30.07.2015 till decision on the title of the petitioners over their lands is taken by the competent civil Court.

In view of the averments made in the writ affidavit and the submissions of the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition by directing the official respondents not to acquire the petitioners' lands till the Appeal No.D/ 3309/ 2016 said to have

been preferred by the petitioners under Section 5(5) of the A.P. Rights in Land and Pattadar Passbook Act, 1971 before the Revenue Divisional Officer is decided. It is made clear that if any cause of action arises in future, the petitioners are at liberty to challenge the same before the appropriate forum.

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.

26.09.2016

bcj



SURESH KUMAR KAIT, J