

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

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WRIT PETITION No.1543 of 2016

BETWEEN

Burra Chandraiah and others.

... PETITIONERS

AND

State of Telangana, Department of Energy, Rep. by its Secretary,
Secretariat, Hyderabad and another.

...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:

Heard learned counsel for the petitioners and learned Government Pleader for Land Acquisition.

2. Petitioners state that under notification issued under Section 4(1) of the Land Acquisition Act, 1894 (for short 'the Act') dated 12.02.1998 various extents of land at Bhoopalpalli village and Mandal, Warangal District were acquired including the lands of the petitioners and Mango garden, Jama, Limi, Coconut, Kukudi trees etc. The award enquiry in pursuance of the said notification was completed on 14.03.2000 by the second respondent by filing award proceedings No.BSC.2536/96 awarding compensation for the lands at Rs.21,000/- per acre. However, compensation for trees was differed since the Land Acquisition Officer had by then not received estimates from the Divisional Forest Officer, Logging Division, Karimnagar. While the petitioners claim substantial number of trees, since no award is pass, in spite of direction of this Court in WP.No.21778 of 2002 dated 18.11.2002 and number of representations of the petitioners thereafter, the present writ petition is filed questioning the action of the respondents in not passing the award/supplementary award.

3. Learned Government Pleader for Land Acquisition has since received instructions, which state that joint inspection was conducted on 12.02.1999 and report was furnished by the Mandal Revenue Officer, Bhupalpally on 24.02.1999. Further, the Divisional Forest Officer, Logging Division, Karimnagar also is stated to have furnished the value of the of the trees under his report dated 12.07.1996 and it is further stated that after filing of the objections by the petitioners before the Land Acquisition Officer on 12.03.2015, the matter has been reviewed and notices had been issued to all persons including the petitioners to participate in the enquiry. Learned Government Pleader, further, states that the process of passing

supplementary award will be finalized within 15 days, as stated by the second respondent.

4. Hence, recording the same, the second respondent is directed to conduct an appropriate enquiry, as already envisaged by him and pass a supplementary award, preferably, within a period of fifteen (15) days from the date of receipt of a copy of this order. It is made clear that if the petitioners are aggrieved by the award, so passed, it is open for the petitioners to ventilate their grievance in accordance with law.

The writ petition is disposed of. 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

Note: Furnish C.C. by 05.02.2016.

(B/o) DSK