

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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W.P. No. 28090 of 2016

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DATE: 22.08.2016

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Between:

Kanna Reddy Krishna Reddy
and another .. petitioners

And

The State of Telangana
and three others .. Respondents

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ORDER:-

This writ petition is filed for the following substantive relief:

“...to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring Public Notice issued by the respondents in proceedings G1/1328/2016, dated 02.02.2016 without following any procedure as contemplated under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for brevity “the Act”) and notifying the respective properties of the petitioners in Teegalapalli village, Koderu Mandal of Mahabubnagar District for acquisition for the purpose of construction of Karvena, Narlapur, Vattam and Edula balancing reservoirs under Palamoor Ranga Reddy Lift Irrigation Scheme, as illegal and arbitrary and consequently set aside the same in respect of the lands of the petitioners and further direct the respondents not to interfere with the petitioners’ lands without following due process of law.”

The learned Government Pleader for Land Acquisition appearing for the respondents, on written instructions, has submitted that the Government of Telangana has decided not to acquire the petitioners’ lands by virtue of the orders issued in G.O.Ms.No.123 Revenue (JA & LA) Department, dated 30.07.2015. However, if any lands are required, they shall be acquired by following the procedure contemplated under the Act.

She has further submitted that proposals for acquisition of lands under the provisions of the Act have already been submitted to the District collector, Mahabubnagar through the Revenue Divisional Officer, Nagarkurnool vide communication dated 14.07.2016, as such, nothing survives in this writ petition for adjudication.

In view of the submission made by the learned Government Pleader for Land Acquisition, the issue raised in this writ petition no longer survives, and accordingly, the writ petition is dismissed. However, it is made clear that if the petitioners are aggrieved by the action of the respondents, they may challenge the same before appropriate forum. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

22.08.2016

bcj