

**THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.5404 of 2005**

**ORDER:**

This writ petition was filed by the petitioners claiming that they are owners of lands of small extents having acquired right, title and ownership through patta granted by the State in their favour. The said lands which were assigned to the petitioners stand confirmed by way of grant of subsequent pattedar passbooks in their favour. While so, an extent of Ac.86.35 gts., of lands were acquired on account of submersion of the said lands in developing Pongal Tank under AMRP project. Though notification was issued with respect to other lands, the lands in possession of the petitioners have not been notified under Land Acquisition proceedings and the petitioners had approached the respondent authorities. The respondent authorities informed the petitioners that they are not entitled for any compensation.

It is submitted by learned counsel for the petitioners that the issue in this writ petition is squarely covered by the Larger Bench judgment of this Court in ***LAO-cum-Revenue Divisional Officer, Chevella Division, Domalaguda, Hyderabad and others v. Mekala Pandu and others***<sup>1</sup>, wherein this Court

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<sup>1</sup> 2004 (2) ALD 451 (LB)

held that even with respect to the lands, which were assigned to the petitioners by the Government, the compensation is required to be paid as per the market value.

A counter-affidavit is filed by the Mandal Revenue Officer, Nalgonda on 16-06-2005, in which it was stated that it has come to light that during the period from 1995 to 1998 certain irregularities have taken place with respect to the assignment of Government Lands in Sy.Nos.39, 40 and 154 of Panagal village and the concerned Mandal Revenue Officer was also kept under suspension. The assignment patta certificates out of Sy.No.239 of Dandampally village issued to the petitioners were also in the proceedings issued by the said Mandal Revenue Officer. It was also further asserted that the lands were not being cultivated and the lands remained fallow and thereby there is also violation of patta conditions. It is further asserted in the counter that the steps have been initiated for anomalies, which have occurred. However, no final orders were made. It was also brought to the notice of this Court that the Hon'ble Supreme Court had granted interim stay of paying compensation on the appeal that was filed in Mekala Pandu's case and the said appeal was dismissed on 04-08-2014.

On the last occasion, on 21-06-2017, learned Government Pleader had informed this Court that after conducting enquiry, by proceedings dated 06-04-2016 the assigned lands patta certificates, pattedar passbooks and title deeds granted in favour of the respective parties were cancelled with a further direction to make correct entries in the revenue records.

In the circumstances, the relief i.e., claimed by the petitioners praying direction to pay compensation with a further direction to include their names in the land acquisition proceedings further leading to payment of compensation cannot be considered at this stage.

Considering the submissions made by learned counsel for the petitioners that the alleged cancellation orders have not been made available to the petitioners, the Revenue Divisional Officer, Nalgonda (who is not a party to the writ petition), who alleged to have made orders of cancellation, shall dispatch copies of orders to the respective petitioners to enable them to assert their rights, in accordance with law. Dispatched orders shall be made through registered post with acknowledgement due, within a period of two (2) weeks, from the date of receipt of a copy of this order. The petitioners are also at liberty to approach the Revenue Divisional Officer,

Nalgonda and obtain the copies by hand so as to avoid any delay.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

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**JUSTICE CHALLA KODANDA RAM**

June 28, 2017

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