

HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No.21826 of 2017

ORDER:

Heard counsel for petitioners, Government Pleader for Revenue for respondents 1 to 3 & 6 and Sri L. Prabhakar Reddy for 7th respondent.

2. Petitioners are admittedly owners of the land admeasuring Ac. 8.34 guntas in S.No.61 and Ac. 8.6 guntas in S.No. 62 situated at Adibhatla Village of Ibrahimpatnam Mandal, Ranga Reddy District. Proceedings under the Land Acquisition Act, 1894 to acquire the said land were initiated for the benefit of the 7th respondent by the first respondent in 2004. However, the subject land continued to be in possession of the petitioners and was not taken possession by the respondents, as can be seen from the award dated 1.2.2006 of the 4th respondent at para 8 in view of the order passed by the Supreme Court of India in SLP Nos. 1414 and 1415 of 2006 at the instance of the petitioners.

3. Petitioners contend that inspite of the fact that the possession of the above land was not taken from the petitioners in respect of the subject land, the name of the 7th respondent is continuing in the revenue record, and that this is arbitrary and illegal and violative of provisions of A.P. Rights in Land and Pattadar Pass Books Act, 1971. Petitioners contend that without possession of the land being handed over to the 7th

respondent, the name of the 7th respondent could not have been incorporated in the revenue records in respect of the subject land.

4. The 7th respondent has also filed counter affidavit and admitted in para 5 thereof that the land belonging to the petitioners was not handed over to 7th Respondent Corporation though it was acquired and award was passed on 1.2.2006.

5. Accordingly, the Writ Petition is allowed and the 6th respondent is directed to incorporate the name of the petitioners in respect of the subject land by deleting the name of the 7th respondent therein since admittedly the 7th respondent is not in possession of the said land. No costs.

6. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

Date: 12.12.2017
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