

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 34023 of 2017

Order:

It is the case of the petitioners that their father was the absolute owner and possessor of the agricultural land admeasuring 2299 sq. yards situated in Survey No.310 of Chandanagar village, Serilingampally Mandal, Ranga Reddy District, and his name was recorded in the Khasra Pahani for the year 1954-55. He expired in the year 1982. The petitioners 1 and 2 and father of petitioner No.3 alienated an extent of 762 sq. yards to one Chamarti Subba Rao on 15.10.1986. They also executed a registered Agreement of Sale-cum-GPA on 25.11.2002 in respect of another extent of 165 sq. yards. When there was a proposal to lay a road covering the balance extent of the land of the petitioners in the year 2006, the petitioners filed W.P.No.23769 of 2006 and the same was disposed of on 11.09.2007 directing the respondents not to lay the road through the petitioners land without acquiring the same by following due process of law. The first petitioner filed an application under Right to Information Act before the respondents 3 to 5 seeking information with regard to land that was acquired for the purpose of laying the pipeline about 30 years back. In Memo dated 03.11.2016, the Special Deputy Collector (Land Acquisition), Hyderabad informed that the land in Survey No.310 was not acquired for the purpose of laying II-Phase Pipeline under MWSS and hence the payment of compensation does not arise. However, the present Writ Petition is filed challenging the action of the respondents 3 to 5 in not paying compensation for the acquired land for laying 1500 MM

Dia Water Supply Transmission of Manjeera Phase-II line passing from Patancheru to Hyderabad in Survey No.310.

There is no evidence to show that the said pipeline was laid passing through the land of the petitioners and in the absence of any evidence no relief can be granted in the Writ Petition, more so after forty (40) years of laying the pipeline.

The Writ Petition is, accordingly, dismissed at the admission stage. However, this will not prevent the petitioners from protecting their own lands. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

Date: 11.10.2017
Nsr

A. RAMALINGESWARA RAO, J

