

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.33003 of 2017

ORDER:

Heard learned counsel for the Petitioner, the learned Government Pleader for respondent Nos. 1 to 3 and the learned counsel for respondent No.6.

The case of the petitioner is that he purchased the property of an extent of 166 sq.yards in Municipal Bearing No.8-3-231/A/1 situated at Krishna Nagar, Yousufguda, Hyderabad, from Mr. Mohammed under Sale Deed dt.21.03.1991, validated in File No.6371/92, dt. 11.07.1992, by the District Registrar and Collector, Hyderabad District, in the name of the petitioner and his son-Mahmood Bin Salah. He also purchased another extent of 18.33 sq.yards from the same vendor in the name of his wife under registered Sale Deed dt. 12.07.1993. Thus, an extent of 184.33 sq.yards is owned by the petitioner, his son and wife.

While so, an extent of 154.33 sq.yards along with adjacent properties was acquired by respondent No.2 for respondent No.6 and a notification under Section 4(1) of the Act was published on 07.01.2014 and after following due procedure, an award was passed on 01.09.2017 in respect of petitioner's property along with other properties. The petitioner received a notice of Award bearing No.C3/2340/2013 dt. 01.09.2017 on 21.09.2017 and when the petitioner also received a Letter dt. 15.09.2017 addressed by respondent No.2 to respondent No.3 stating that

the amount of compensation in respect of the property of the petitioner along with other properties was being deposited with respondent No.3, the present Writ Petition was filed.

Learned counsel for the petitioner submits that the reference to respondent No.3 was unnecessary as there is a clear title in favour of the petitioner and his family members.

Learned Government Pleader for respondents submits that there is a dispute with regard to title to the property as it was stated by the Urban Land Ceiling Authority that the said property comes under surplus lands.

Learned counsel for the petitioner submits that the provisions of Urban Land Ceiling Act was repealed and the provisions of the said Act has no application to the present case.

Since the matter was already referred to the competent authority under the provisions of the Act, this Court is not inclined to entertain the present Writ Petition. However, liberty is given to the petitioner to appear before respondent No.3, and submit his claim for payment of compensation. It is needless to observe that since the matter relates to payment of compensation, the competent authority shall decide the dispute and pass an Order in accordance with law within a period of three months from the date of receipt of a copy of this Order.

Accordingly, this Writ Petition is disposed of. As a sequel, miscellaneous petitions, if any, pending in this case, shall stand closed.

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*A.RAMALINGESWARA RAO, J*

Date: 09.10.2017

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