

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. No.37463 of 2017

ORDER:

The case of the petitioners is that the father of the petitioners viz., Late Sri Baidla Pauvdas was assigned the land admeasuring Ac.4.10 gts in S.No.257, Ibrahimpatnam Khalsa, Ibrahimpatnam Village & Mandal, Ranga Reddy District vide Assignment certificate dt.13.04.1960. Thereafter, the 4th respondent—Tahsildar, Ibrahimpatnam, issued Pattadar Pass Book and Title deed in respect of the above property in favour of original assignee. Since the date of the said agreement, the father of the petitioners was in possession and enjoyment by cultivating the said land till his death. The father of the petitioners died on 28.07.1987 leaving behind petitioner Nos.1 to 4 and one late Srihari as his legal heirs and successors of the said property. The petitioner Nos.5 to 7 are the legal heirs of late Srihari, who is the 5th son of the original assignee viz., Baidla Pauvdas. The 5th respondent sent a requisition to the District Collector, for acquisition of Ac.234.27 gts situated at Ibrahimpatnam Khalsa, Ibrahimpatnam Village and Mandal, Ranga Reddy District, for establishment of Industrial Park. That in pursuant to the requisition made by the 5th respondent, the 3rd respondent issued proceedings No.D/4227/2010 dated nil.01.2011 and thereby, resumed the assigned lands on payment of ex-gratia and with further request to the 4th

respondent to enquire about the legal heirs of the deceased assignees to an extent of Ac.50.27 gts and submit the list of legal heirs for sanction of ex-gratia.

2) It is submitted that the father of the petitioners was the original assignee to an extent of Ac.4.10 gts in Sy.No.257. But in the proceedings issued by the 3rd respondent—Land Acquisition Officer-cum-RDO, Saroornagar Division, Ranga Reddy District, dated nil.01.2011, the name of the late Baindla Pavudas was not found. The petitioners made several representations viz., on 20.10.1998, 29.11.1997 and 22.12.1997 to the 3rd respondent as well as 4th respondent for mutation of the legal heirs of late Baindla Pavudas and for payment of compensation in respect of the assigned land.

3) The petitioners also made an application in Form No.6 for mutation and for payment of compensation in respect of the subject lands through on-line on 12.02.2011. The 3rd respondent specifically requested the 4th respondent to submit the list of legal heirs of the deceased assignees for payment of the ex-gratia in respect of the assigned land to an extent of Ac.50.27 gts, out of Ac.234.27 gts, situated at Ibrahimpatnam Khalsa Village. In spite of specific instructions by the 3rd respondent, the 4th respondent not acted to submit the details of the legal heirs of the deceased.

4) Heard learned counsel for the petitioners and learned Assistant Government Pleader for Land Acquisition.

5) Basing on the written instructions, learned Assistant Government Pleader for Land Acquisition submits that if the petitioners produce necessary declaration that they are legal heirs of the original assignee, necessary action can be taken.

6) In view of the same, the Writ Petition is disposed of directing the respondents to pay compensation in terms of the judgment reported in ***LAO-cum-Revenue Divisional Officer vs Mekala Pandu***¹ as and when petitioners produce necessary documents showing that they are legal heirs of original assignee. No order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

A.RAJASHEKER REDDY,J

28-11-2017
knl

¹ 2004 (2) ALD 451 DB

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.37463 OF 2017



Date: 27.11.2017

kn1

