

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION Nos.42104 AND 37308 OF 2017

COMMON ORDER:

W.P.No.37308 of 2017 is filed by the petitioners aggrieved by the action of respondents in proposing to erect electric poles with high tension wires through the lands of the petitioners in Survey Nos.295/A/1/B, 295/A/1/A, 196/B and 196/1 situated at Shanigapuram Village, Mahabubabad Mandal and Distirct, in deviation of the previous proposal.

2. This Court, by order, dated 09.11.2017, in W.P.MP.No.46345 of 2017 in W.P.No.37308 of 2017, directed the respondent authorities to consider the representation of the petitioners, wherein the petitioners urged deviation of the original alignment, in accordance with law. But, the respondents instead of considering the said aspect, disposed of the representation of the petitioners stating that the petitioners will be paid compensation. Since, the aspect of alignment was not referred to in the order passed while disposing of the representation of the petitioners, the petitioners preferred W.P.No.42104 of 2017 questioning the said order.

3. Heard learned counsel for the petitioners and R. Vinod Reddy and Sri Zakir Hussain, learned Standing Counsel appearing for the respondents.

4. Though the learned Standing Counsel submits that there is no deviation of the original alignment and the counter also speaks the same, a reading of the impugned order in W.P.No.42104 of 2017 goes to show that the respondents have not stated about the deviation and nothing is reflected therein. It appears that the order is passed without any application of mind.

5. Hence, the order impugned in W.P.No.42104 of 2017 is set aside and the respondents are directed to pass orders afresh on the representation of the petitioners regarding the change of alignment, if any.

6. With the above direction, both the Writ Petitions are disposed of. Miscellaneous Petitions, if any, pending in these Writ Petitions shall stand closed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

December 20, 2017

Note: Issue C.C. by tomorrow.
B/O.MD