

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.44713 OF 2017

Dated:29.12.2017

Between:

Thadka Yadagiri, S/o.Chandraiah,
Aged 74 years, Occ: Agriculture,
R/o.Nyalapatla Village, Chotuppal Mandal,
Yadadri Bhongir District and another.

.. Petitioners

And

The State of Telangana,
Rep. by its Principal Secretary,
Irrigation Department,
Secretariat, Hyderabad and another.

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.44713 OF 2017****ORDER:**

Petitioners claim that they are the owners of land to an extent of Acres 13.33 guntas in S.No.290 of Nyalapatla Village, Chotuppal Mandal, Yadadri Bhongiri District. The Government issued notification under Section 11(1) of Andhra Pradesh Right to Fair Compensation Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act'), to acquire various extents of land including the land above mentioned.

2. According to the learned counsel for the petitioner there was interse dispute between the petitioners and the 6th respondent and the same is resolved in their favour and they are declared as the owners of the subject land; however, the notification under Section 11(1) of the Act reflected the name of 6th respondent and his family members, but, does not reflect name of the petitioners.

3. Earlier to the formation of separate Districts, petitioners submitted representation to the then Revenue Divisional Officer/Land Acquisition Officer. After formation of new Districts and after entrusting the subject land acquisition to the Revenue Divisional Officer/Land Acquisition Officer of Chotuppal Division, fresh representation was made on

11.12.2017 bringing to the notice of the Land Acquisition Officer the true and correct facts. Alleging that there is no response to the representations made and apprehending that the respondents are going to pass award reflecting the name of 6th respondent, this writ petition is filed.

4. Learned counsel for the petitioner contends that unless the objections are taken note of before the award is passed, great prejudice would be caused to the petitioners.

5. Written instructions are furnished to the learned Government Pleader. According to the learned Government Pleader, the objections filed by the petitioners on 11.12.2017 are received and they are in the process of considering those objections and further steps will be taken only after considering the objections.

6. Having regard to this statement of the learned Government Pleader, on instructions of the Land Acquisition Officer, the cause for apprehension do not subsist; however, it is needless to observe that since petitioners' names are not reflected in the Land Acquisition notification and they filed objections, the persons whose names are reflected in the notification should also be put on notice by furnishing copy of representation dated 11.12.2017 made by petitioners and call for their response to the nature of objections filed and appropriate further orders/steps shall be taken after duly

taking note of the respective objections in so far as the subject property is concerned.

7. With the above observation, this writ petition is disposed of. Miscellaneous petition pending consideration, if any, in this case shall stand closed as consequence. No order as to costs.

29.12.2017
SS

P.NAVEEN RAO, J

