

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.1142 of 2018**

**ORDER:**

In this Writ Petition, petitioner asserts that his land to an extent of Acs.2.00 guntas situated at Kolpoor Shivar Village, Maganoor Mandal, Mahabubnagar District, was acquired by the State for the purpose of granting pattas in favour of the landless poor. He further asserts that the persons, who were allotted pattas, were not willing to occupy such land, as such, they were provided with alternative land. He also asserts that the subject land is lying vacant and it is of no use for the State as the purpose for which the land was acquired is no longer existed. Therefore, he prays that a direction may be issued to the respondents to re-deliver the possession of the subject land. In this context, a representation was submitted by him on 14.07.2017 to the respondents. His grievance is that no action has been taken thereon by the respondents.

Heard learned counsel for the petitioner.

On the other hand, learned Government Pleader appearing for the respondents vehemently opposes the relief claimed by the petitioner and would submit that in terms of the provisions of the Land Acquisition Act, 1894, there is no facility of re-delivery of

possession of the subject land merely because the same could not be utilized for the purpose for which it was acquired at the relevant point of time. He would further submit that the acquisition of the subject land took place as far back as in 1996 and compensation was also paid, thereby, the subject land became the State's property. He would also submit that there being no provision under the Land Acquisition Act, 1894, with respect to the re-delivery of the possession of the land, this Writ Petition may be dismissed.

In view of the above, without expressing any opinion on the merits of the matter and considering the nature of relief claimed by the petitioner, the Writ Petition is disposed of with the direction to the second respondent – District Collector, Mahabubnagar, to consider and dispose of the petitioner's representation, dated 14.07.2017, in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any pending shall stand closed.  
There shall be no order as to costs.

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**CHALLA KODANDA RAM, J**

7<sup>th</sup> MARCH, 2018.

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