

HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.25637 of 2006

ORDER.

This Writ Petition is filed for the following substantive relief:

“... to issue appropriate writ order or direction particularly one in the nature of writ of Mandamus declaring the inaction of the respondents No 1 and 2 in not considering our representation dt 10-7-2006 pending before them pursuant to the judgment of this Honble Court dt 17-2-03 in W P No 1526 of 2003 and Judgement and decree dt 02-07-1999 in O S No 370 of 1996 passed by Principal Senior Civil Judge Ranga Reddy District to fix the market value in respect of land admeasuring Ac 0 33 gts covered by Survey Nos.6, 7 and 8 of Jaggamguda Village, Shameerpet Mandal, Ranga Reddy District as illegal arbitrary, against the principles of natural justice and in violation of Articles-14, 21 and 300A of the Constitution of India and consequently, to direct the respondents to consider the representations made by the petitioners by fixing Market Value of the Land as on the date of the Decree in O S No 370 of 1996 in the interest of justice and be pleased to pass such further order/s as this Honourable Court may deem fit and proper in the circumstances of the case.”

The case of the petitioners is that they are in possession of Ac.0.33 guntas of land in Survey Nos.6, 7 and 8 of Jaggamguda Village, Shamirpet Mandal, Ranga Reddy, which is said to be part of Government land (gram kantam), for the last 40 years

and they are cultivating the same. Earlier, they made a representation before the respondents for payment of compensation since the same was affected in land acquisition and that by judgment, dated 02.07.1999 in O.S.No.370 of 1996, the learned Principal Senior Civil Judge, Ranga Reddy District, passed an order in favour of the petitioners, who are the plaintiffs therein, directing the respondents herein to fix the market value of the subject land and to make payment to them accordingly. Later, the petitioners filed Writ Petition No.1526 of 2003 which was disposed of by this Court by order, dated 17.02.2003, directing the respondents to fix the market value of the subject land, as directed by the civil Court and intimate the same to the petitioners within a period of eight weeks from that date. Subsequently, the petitioners once again made a representation dated 10.7.2006, to the respondents, but as the same was not considered, they filed the present Writ Petition.

The petitioners further placed before this Court Annexure-II-Market Value Certificate dated 22.02.2018, issued by the office of Sub-Registrar, Shamirpet, wherein it is stated that the market value of the land is Rs.3 lakhs per acre in respect of Survey Nos.6, 7 and 8 in Jaggamguda Village, Shamirpet Mandal, Ranga Reddy District.

Mr. Harish, learned Assistant Government Pleader for Revenue (Telangana), contended that as the subject land is a gram kantam land, the petitioners have no locus to make a claim.

In view of the above facts and circumstances of the case, without going into the merits, keeping in view the order passed by this Court in the earlier round of litigation, *i.e.*, in Writ Petition No.1526 of 2003, this Writ Petition is disposed of. The petitioners shall make a fresh representation to the respondents enclosing the Market Value Certificate and a copy of this order thereto. The respondents are directed to consider and dispose of the representation of the petitioners in the light of the Market Value Certificate, dated 22.02.2018, within a period of eight weeks from the date of receipt of a copy of this order and communicate the same to the petitioners.

As a sequel, the Miscellaneous Petitions, if any, pending shall stand disposed of as infructuous.

JUSTICE T.AMARNATH GOUD

23rd April 2018

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