

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7906 of 2018

ORDER:

This Writ Petition is filed questioning the action of respondents 2 to 6 in trying to lay the road through the petitioner's land admeasuring Ac.0-20 guntas in Sy.No.99/E1 situated at Pragnapur Village, Gajwel Mandal, Siddipet (Medak) District, for the purpose of Regional Ring Road without following due process of law as enshrined under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short "the Act").

2) The petitioner claims that she is the absolute owner of the subject property, having purchased the same from her father-in-law under the Registered Sale Deed dated 06.12.2016 by paying valuable sale consideration, and that her name has been mutated in the revenue records and updated in the online web land and pattadar passbook and title deed were also issued in her favour.

3) While the things stood thus, respondents 2 to 6 proposed to form a Regional Ring Road leading from Pragnapur to Rimmanaguda village and informed the villagers that their lands, which are coming under the proposed Road, would be acquired by paying compensation. But to the dismay, on 18.01.2018, without issuing any notice, the respondents commenced the work of laying the proposed Ring Road. Therefore, she made a representation on 19.01.2018 to the respondent authorities requesting to pay the compensation to the subject land under the provisions of the Act and also requested not to dispossess her from the said lands until

harvesting of standing crop of maize and payment of compensation, but the respondents refused to take the said representation. Therefore, she sent the same through Registered Post on 20.01.2018. However, on 02.03.2018, the respondents suddenly started laying the road without paying any compensation and even without issuing any notice to her, which is contrary to the provisions of the Act. Hence, the Writ Petition.

4) Heard both the learned counsel.

5) In view of the specific assertion of the petitioner in the writ affidavit that she made a representation to the respondent authorities requesting to pay the compensation to the subject land as per the procedure laid down under the Act and also in view of the documents filed by her i.e., Title Deed, 1-B (ROR), Adangal etc., evidencing her right, title and ownership over the subject property, this Writ Petition is disposed of with a direction to the respondent-authorities not to interfere with the petitioner's property, in any manner, without following the procedure prescribed in law, including payment of compensation, as enjoined under the Act. There shall be no order as to costs.

6) Consequently, Miscellaneous Petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J.

Date: 13.03.2018.

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