

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.21807 OF 2007

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in not determining the compensation for the petitioner's plot bearing No.28 admeasuring 224 sq. yards in Sy.No.236 situated at Balapur village, Saroornagar Mandal, Rangareddy District.

2. Heard Sri M.L. Ali, learned Counsel for the petitioner and Sri K. Lakshman, Assistant Solicitor General.

3. It has been submitted by the petitioner that he is the owner of the land of an extent of 224 sq. yards in Sy.No.236, situated at Balapur village, Saroornagar Mandal, Ranga Reddy District, and he purchased the same by virtue of a registered sale deed bearing No.9880/2005 dated 27.8.2005 and that the said land was acquired by the respondents, but no compensation was paid.

4. The learned Assistant Solicitor General submits that the land claimed by the petitioner is a part of an extent of 58,139.10 sq. meters of land, which had been determined under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976, as surplus land and the said land was allotted to the 3rd respondent-A.P. Industrial Infrastructure Corporation Limited by the Government of A.P. vide G.O.Ms.No.1156, Revenue (UC.I) Department, dated 20.12.1991, and thereafter, the said land was allotted to the Government of India, Ministry of Defence viz., Defence Research and Development Laboratory (DRDL) vide G.O.Ms.No.1065, dated 24.10.2003.

5. It is the case of the petitioner that he purchased the subject land by way of registered sale deed dated 27.8.2005, whereas it is the case of the respondents that the subject land was allotted to the 1st respondent in the year 2003 vide G.O.Ms.No.1065, dated 24.10.2003. No material was placed by the petitioner before this Court to establish that the land claimed by him is not part and parcel of the land allotted to DRDL. From this, it can easily be inferred that the petitioner was cheated by his vendors. Therefore, the question of payment of compensation to the petitioner does not arise. There are no merits in this writ petition.

6. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to proceed against his vendor to indemnify the loss caused to him. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Dated: 26th April, 2018
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(ABHINAND KUMAR SHAVILI.J)



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