

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.26530 of 2007

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents in not initiating the land acquisition proceedings for the lands taken from the petitioners for laying road from Sunyapahad village to Damarcherla, Nalgonda District, without paying any compensation, as illegal and arbitrary, and consequently direct the respondents to pay compensation for the lands taken from the petitioners for laying the road.

Heard Sri Venugopalarao Pasnoor, learned counsel for the petitioners and the learned Government Pleaders for Land Acquisition and Panchayat Raj.

It has been contended by the petitioners that they are the owners of different extents of lands situated in Sy.Nos.47, 74(3), 91, 94, 95, 96 and 98(2) of Sunyapahad village of Nereducherla Mandal, Nalgonda District, and the respondents have acquired their lands for laying road without initiating any proceedings under the Land Acquisition Act. Aggrieved by the same, the present writ petition is filed.

When the matter is taken up for hearing, the learned Government Pleader for Land Acquisition and the learned Government Pleader for Panchayat Raj have submitted that the Executive Engineer, Panchayat Raj has laid the road, but, however, he has not made any requisition to the District Collector for acquiring the lands of the petitioners before laying the road. But, it is the case where the respondents have laid the road in the lands of the petitioners without acquiring the same by following due

procedure. If that be the case, the Executive Engineer shall submit a report to the District Collector and upon such report, the District Collector shall initiate proceedings under the Land Acquisition Act.

In view of the above, the Writ Petition is disposed of. The Executive Engineer-cum-Land Acquisition Officer, Panchayat Raj and Rural Development Department, Nalgonda District is directed to submit a report with regard to the subject matter to the District Collector, Nalgonda District, within a period of 4 (four) weeks from the date of receipt of a copy of this order, and on receipt of such report, the District Collector, Nalgonda District shall initiate necessary proceedings and pay compensation to the petitioners for the lands taken from them, in accordance with law, within a period of 6 (six) months therefrom. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.



ABHINAND KUMAR SHAVILI, J

Date: 16.04.2018
Dsr