

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.37487 OF 2018

DATED :25.10.2018

Between :

Vellanki Ankaiah Chowdary S/o.Nageswara Rao,
Aged 60 yrs, Occu : Agriculture,
R/o.Polavaram Village, Chatrai Mandal,
Krishna District, Andhra Pradesh State

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad, Telangana State & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Land Acquisition for respondents.

2. Petitioner claims that he is the owner of land in Sy.No.273/126 of Kothur village, Hamlet of Pusugudem Village, Mulakalapalli Mandal, Bhadradri Kothagudem District. Petitioner contends that the 3rd respondent issued Land Acquisition notification without observing the concerned record/pending of revision filed by the petitioner before the 1st respondent authority pertaining to the land, and without making the petitioner as beneficiary in the land acquisition notification. The material on record would disclose that on 24.07.2018 the Tahsildar, Mulkalapalli, Bhadradri Kothagudem District, addressed letter to the Special Deputy Collector, Land Acquisition, about the persons who are identified as pattedars in Sy.No.273/1/3 of Pusugudem village of Mulakalapally Mandal. It is also stated that the petitioner herein has filed Revision before Tribal Welfare Department against the orders of Additional Agent to the Government in C.M.A.No.253/2007 and the same is pending. However the land is assigned to landless poor tribals in 5th Phase Assignment in the year 2009 and till then they were in continuous possession over the subject land.

3. A reading of this correspondence would disclose that there are some other persons who are granted assignments and they were in possession of land, when Land Acquisition proceedings were initiated.

4. According to learned Government Pleader, compensation is already paid to the persons who are in possession of land.

5. At this stage, learned counsel for the petitioner sought to contend that Sy.No.273/1/3 is different from Sy.No.273/126 and that petitioner is in possession and enjoyment of the subject land.

6. The land acquisition proceedings are not under challenge nor the correspondence is put in question in this writ petition. Further persons who were paid compensation are also not made parties to the writ petition.

7. Learned counsel for the petitioner also sought to contend that as the petitioner is owner of land in Sy.No.273/126, he should have been subjected to land acquisition proceedings and compensation ought to have been paid. However, the contention of learned counsel for the petitioner is contrary to land acquisition proceedings and even according to him, in the land acquisition proceedings, Sy.No.273/126 is not included. It is also not made clear as to how petitioner is affected on payment of compensation to the persons identified by the competent authority as in occupation of land in Sy.No.273/1/3.

8. As noted above, the prayer in the writ petition itself is vague and no proceedings are under challenge. Thus, the relief sought by the petitioner in the writ petition cannot be granted.

9. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

25th October, 2018
Rds

