

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40591 OF 2017

ORDER:

The case of the petitioners is that they are original assignees and some of them are legal representatives of the original assignees and they were in possession of the lands to an extent of Ac.135-00 guntas situated in Sy.No.268, Bandaraviryala village, Hayathnagar Mandal, Ranga Reddy district. It is their case that they have been in possession of the said lands for several decades and while so in the year 2004, the respondents 4 to 6, without initiating any land acquisition proceedings, forcibly dispossessed them and handed over the land in question to the 7th respondent-Telangana Mineral Development Corporation Limited for quarrying operations in the year 2006.

2. It is stated that aggrieved by the action of the respondents in high handedly dispossessing them without following the due process of law, the petitioners filed writ petition being WP No.18990 of 2012 and this Court disposed of the said writ petition directing the respondents 2 and 5 therein to verify the claims and also as to making payment of ex-gratia to the petitioners, within a period of three months from the date of receipt of a copy of this order.

3. It is stated that pursuant to the said order, the 4th respondent, after negotiations with the assignees and the legal representatives of the assignees, recommended to the 2nd respondent that the assignees and the legal representatives of the assignees have agreed to receive an amount of Rs.7,40,000/- per

acre towards ex-gratia. It is thereafter, the 1st respondent-Chief Commissioner of Land Administration (CCLA), Hyderabad, entertained certain doubts and sought clarifications from the 4th respondent as to the claims made by the petitioners.

4. The grievance of the petitioners is that respondents 4 to 6 are sitting over the matter and they have not been paid the ex-gratia as agreed to them by the 4th respondent-District Collector. Hence, this writ petition.

5. Heard learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue.

6. Admittedly, the 4th respondent-District Collector in terms of the mutual negotiations with the assignees and the legal representatives of the assignees, both parties agreed for payment of ex-gratia at Rs.7,40,000/- per acre and having agreed for the same, which is evident from the recommendation made by the 4th respondent to the 2nd respondent, there is no justification on the part of the respondents in not paying the ex-gratia to the petitioners.

7. In view of the same, the 4th respondent-District Collector is directed to comply the clarifications sought for by the 1st respondent, if not already clarified, and on such clarification submitted by the 4th respondent to the 1st respondent, within a period of three weeks from the date of a receipt of a copy of this order, taking into consideration the clarifications submitted by the 4th respondent as also the earlier recommendation made in that behalf by the 4th respondent, respondents 1 to 3 to take steps for payment of ex-gratia to the petitioners, in accordance with law,

within a period of three months, from the date of receipt of clarification from the 4th respondent.

8. With the above directions, the writ petition is disposed of. There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

Dated: 14-12-2018
NRG



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40591 OF 2017



Date: 14.12.2018

NRG

