

HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.2136 OF 2019

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking the following relief:

“For the reasons stated in the accompanying affidavit, the petitioners pray that this Hon’ble Court may be pleased to pass an Order, Direction or Writ and more particularly one in the nature of Writ of Mandamus declaring the acts of the respondents and particularly the respondents No.3 & 4 in entering upon and making attempts to lay new electricity power supply high tension line by erecting poles thereof, over the agricultural land of the petitioners in Survey Nos.73, 77, 78, 79, 80, 86, 87, 88, 89, 90 and 91, total admeasuring acres 09-10 guntas, situated at Mallapur village, Nalgonda (Yadadri Bhongir) district, without their consent and payment of compensation in respect of the land affected thereby, as illegal, arbitrary, high handed, violative of the principles of natural justice and consequently direct the respondents not to enter upon the land of the petitioners, in the interest of justice and pass such other order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

2. Heard Sri Shyam S.Agrawal, learned counsel appearing for the petitioners, learned Government Pleader for Energy appearing for the 1st respondent and Sri R.Vinod Reddy, learned Standing Counsel for the Telangana State Southern Power Distribution Company Limited, appearing for respondents 2 to 4.

3. It is the case of the petitioners that they are the owners of agricultural lands in Survey Nos.73, 77, 78, 79, 80, 86, 87, 88, 89, 90 and 91, admeasuring Ac. 09-10 guntas, situated at Mallapur village, Nalgonda (Yadadri Bhongir) district, over which the respondents are making attempts to lay new electricity power supply high tension line by erecting poles thereof. Aggrieved thereby, the present writ petition is filed.

4. Pleadings are completed and after hearing both sides, this Court feels just and proper that the writ petition is disposed of giving liberty to the petitioners to approach the 3rd respondent and the Tahsildar concerned by way of filing a representation seeking compensation. On receipt of such representation, the 3rd respondent and the Tahsildar concerned shall consider the same and pass appropriate orders, in accordance with law, preferably within a period of eight (08) weeks from the date of receipt of such representation.

5. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

T.AMARNATH GOUD, J

Date: 30th April, 2019

Note: Issue C.C. in one (01) week.

(B/o.)
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Date: 30th April, 2019

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