HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITON No.28433 of 2016

ORDER: (*per Hon'ble Sri Justice P.Naveen Rao)*

The Writ Petition is filed with the following prayer:

> "The petitioner herein respectfully prays that this Hon'ble Court may be pleased to issue an appropriate Writ, Order, Direction, more particularly one in the nature of 'Writ of Quo-Warranto' declaring the action of the official respondents No.4 to 8 for wrongfully acquiring and registering by impersonating the respondent No.9 for agricultural land for the purpose of 'Mallanna Sagar Project" in Medak District, by causing wrongful loss to the petitioner in respect of her agricultural land in Sy.No.687/A/2 for the extent of Ac.1.00 guntas, situated at Etigadda Kistapur village, Toguta Mandal, Medak District, as illegal, arbitrary, unreasonable, violative of Articles 21 and 300A of the Constitution of India, consequently to direct the respondent No.3 to enquire into the matter and for prosecuting the responsible persons in the matter and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case."

When the matter is called, the learned Special Government Pleader representing learned Additional Advocate General appearing for official respondents by referring to the contents of the counter affidavit informs this Court that the father-in-law of the petitioner sold the land to an extent of Ac.1.00 gts in Sy.No.687 to Kurma Oggu Chendraiah, S/o.Mallaiah 40 years back. Paragraph 3 of the counter affidavit reads as follows:

> "3. It is submitted that in the present case the father-in-law of Smt.Chepuri Pushpa (Petitioner herein) sold land to an extent of Ac.1.00gts in Survey No.687 to Kurma Oggu Chendraiah, S/o.Mallaiah 40 years back. The compensation for the above land was paid to Kurma Oggu Chendraiah being the purchaser and owner of the property. The petitioner has no right to claim compensation as she was never owner of the property. However petitioner being the Project displaced family of Etigadda Kistapur Village, was paid Rehabilitation and Resettlement benefits as per the state policy. The evidence showing the payment of Rehabilitation and Resettlement benefits to the petitioner are

enclosed herewith for the kind perusal of this Hon'ble Court. The writ petition may be closed as infructuous."

Along with the counter affidavit, a statement is also enclosed showing the payment of Rs.7,50,000/- as part of R & R package to the husband of the petitioner and compensation had already been paid to the person in whose favour land was sold.

When the matter was listed on 29.11.2019, there was no representation on behalf of the petitioner, as such, it was directed to be listed on 07.12.2019 under the caption 'for dismissal'. Even when the matter is listed today, none appeared on behalf of the petitioner and no reply affidavit is filed disputing the assertions in the counter affidavit filed by the official respondents.

In view of above facts and circumstances, the Writ Petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed.

A.RAJASHEKER REDDY, J

P.NAVEEN RAO, J

13-12-2019
kvs

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Date 13.12.2019.

kvs

HIGH COURT FOR THE STATE OF TELANGANA
HYDERABAD