

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.4813 of 2019

ORDER:

The case of the petitioner is that he is the owner of the land of an extent of Ac.5.00 gts in Sy. No.190, situated at Chandavavelli village, Shabad Mandal, Ranga Reddy District, having acquired the same by way of assignment and he relies upon the patta alleged to have been issued in his favour. While the matter stood thus, in the year 2017, the respondent authorities had acquired the subject property without issuing any notice or without intimating to him. Thereafter, he made a representation on 27-08-2018 before 3rd respondent requesting him to pay compensation in respect of the subject property, but no action has been taken till now.

2. The learned Government Pleader for Land Acquisition-cum-Revenue Divisional Officer, on instructions, submits that the claim of the petitioner is false and that the petitioner has no right whatsoever on the said land.

3. Admittedly, as on date, though proceedings were initiated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for brevity 'the Act, 2013'), no award has been made. Whether the petitioner has a right to get the compensation or not is a matter which

can be decided in terms of the enquiry under Section 21 of the Act, 2013.

4. In those circumstances, as the petitioner has already made a representation dt.27-08-2018 before the 3rd respondent, his representation may be considered at appropriate time while making the award under Section 21 of the Act, 2013. In the event the land is said to be acquired by way of negotiation in terms of the amended provisions of the Act, 2013, as applicable to Telangana State, the petitioner shall be issued notice calling upon him to produce material in support of his claim with regard to his ownership right and entitlement for compensation; and as and when the material is placed before the authorities concerned, the same shall be examined by them in accordance with law and appropriate orders may be passed.

5. Accordingly, the Writ Petition is disposed of. No costs.

6. Miscellaneous petitions pending in the Writ Petition, if any, shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 11-03-2019.

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