

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12213 OF 2019

Date: 20.06.2019

Between:

Mr. V.Gowra Goud, s/o. late Yella Goud,
Aged 68 years, occu:Farmer, r/o.H.No.9-51,
Shankarampet Mandal, Medak District.

.....Petitioner

and

The National Highway Authority of India,
(Ministry of Road, Transport & Highways),
rep.by its Deputy Secretary, Government
of India, New Delhi and two others.

.....Respondents



The Court made the following:

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ORDER:

The then Project Director, National Highway Authority of India, Hyderabad, placed a requisition on 03.04.2017 for acquisition of lands in Thirumalapur village, Shankarampet Mandal, for four lining of NH-161 from KM 39.980 to KM 66.210. Based on the said proposals, proceedings were initiated under the National Highways Act, 1956. In the land acquisition process, total extent of 50977.62 square meters of land in various survey numbers is under acquisition. Petitioner claims that he has purchased the land to an extent of Ac.0.19 guntas in Sy.Nos.261/U and 261/UU from Sri Sarusan Narayana Reddy s/o. Mutha Reddy, and Sri Sarusan Sanga Reddy s/o. Mutha Reddy, by way of Sada Sale Deed on 02.03.1995. Petitioner claims that as this extent of land is now under acquisition, he being the owner of the property, is entitled to receive compensation, whereas compensation is not paid.

2. It is apparent from the material placed on record that claim of petitioner is based on Sada Sale Deed dated 02.03.1995.

3. According to learned Government Pleader, as per the instructions furnished by the Revenue Divisional Officer, Medak, opportunity was afforded to the petitioner to show his entitlement to receive compensation. Petitioner has not placed any material nor submitted his title deeds and pattadar passbooks. According to learned Government Pleader, as per the revenue records, names of Sri. S.Narayana Reddy and Sri S.Linga Reddy, are reflected on

land to an extent of Ac.0.12½ guntas and Ac.0.10 guntas, respectively, and the name of Sri S.Sai Reddy to an extent of Ac.0.12½ guntas, whereas the name of petitioner is not reflected in the revenue records. It is further asserted that in spite of affording due opportunity by the Government, he has not secured regularization of the sale transaction in the form of sada sale deed. Therefore, compensation cannot be paid to him.

4. According to the learned Government Pleader, as no claims are received for payment of compensation on this extent of land, steps would be taken to deposit the amounts with the competent civil Court under Section 3(H)(4) of the National Highways Act.

5. If petitioner has valid claim with reference to the ownership, he may have to establish before the civil Court in pursuant to the reference made by the competent authority. Leaving it open to petitioner to work out his remedy as available in law, Writ Petition is dismissed. Pending miscellaneous petitions shall stand dismissed.

JUSTICE P.NAVEEN RAO

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