

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.Nos.13450 & 13477 OF 2019

Date: 5.7.2019

W.P.No.13450 of 2019

Between:

Smt.Annasamudram Padma

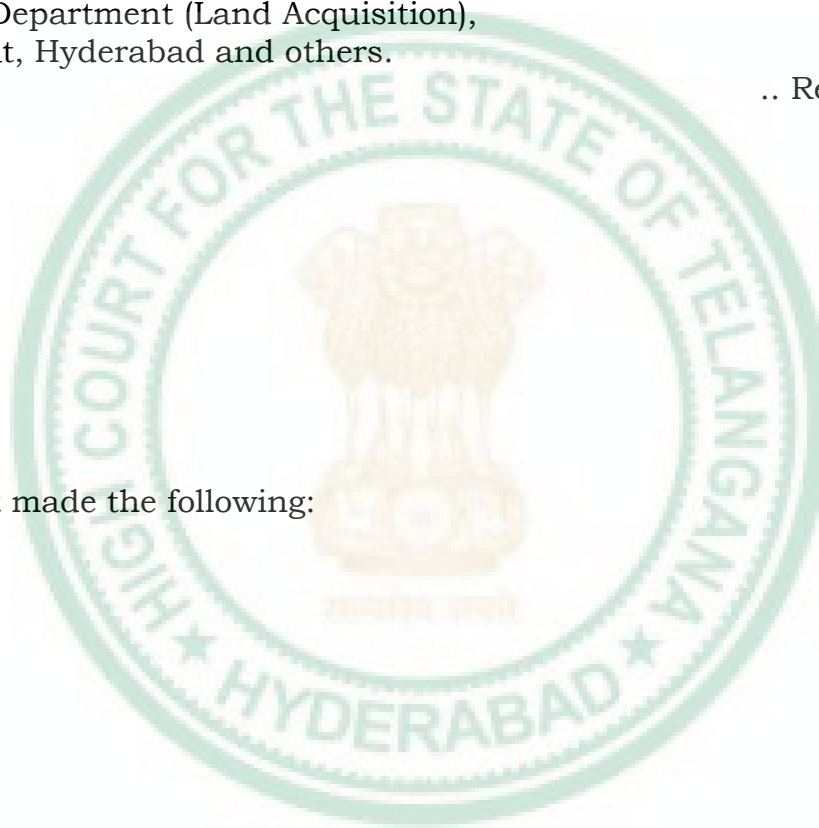
.. Petitioner

And

State of Telangana, rep. by its Principal Secretary,
Revenue Department (Land Acquisition),
Secretariat, Hyderabad and others.

.. Respondents

The Court made the following:



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COMMON ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Respondents 1 to 5 and perused the material on record.

2. According to the petitioner in W.P.No.13450 of 2019, her husband namely Annasaudram Raghunath owns land in Survey No.193 Ac.6.02 guntas, Sy.No.223/1 Ac.2.33 guntas, Sy.No.224 Ac.0.17 guntas and Sy.No.225 Ac.4.35 guntas situated at Gumpena village, Annapareddypalli mandal, Bhadradi-Kothagudem district and he died on 20.9.2015. After the death of her husband, petitioner is cultivating the said lands.

3. According to the petitioner in W.P.No.13477 of 2019, his father was the absolute owner and possessor of land in Survey No.218/2 to an extent of Ac.1-02 guntas situated at Gumpena village, Annapareddypalli mandal, Bhadradi-Kothagudem district and after the death of his father, petitioner is cultivating the said land.

4. Land acquisition proceedings were set in motion to acquire the land of the petitioners for the purpose of construction of Seetharama Lift Irrigation Project at Palvoncha, against which petitioners earlier filed W.P.Nos.7217 and 7237 of 2019 before this Court, alleging that they were not paid compensation after acquiring the said lands. The said writ petitions were disposed of by this Court by common order dated 4.4.2019, directing the Land Acquisition Officer to follow the procedure in terms of Section 21 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by issuing notice to the petitioners as well as

6th respondent herein in the process of award enquiry and to consider the objections, if any made by them, and pass the award determining the compensation. The Court also gave liberty to the Land Acquisition Officer to refer to the competent authority if there is any dispute on payment of compensation.

5. Both these writ petitions are filed alleging that no orders are passed based on the claim made by the petitioners and seeks for a direction not to pay compensation to the 6th respondent herein in respect of the subject lands.

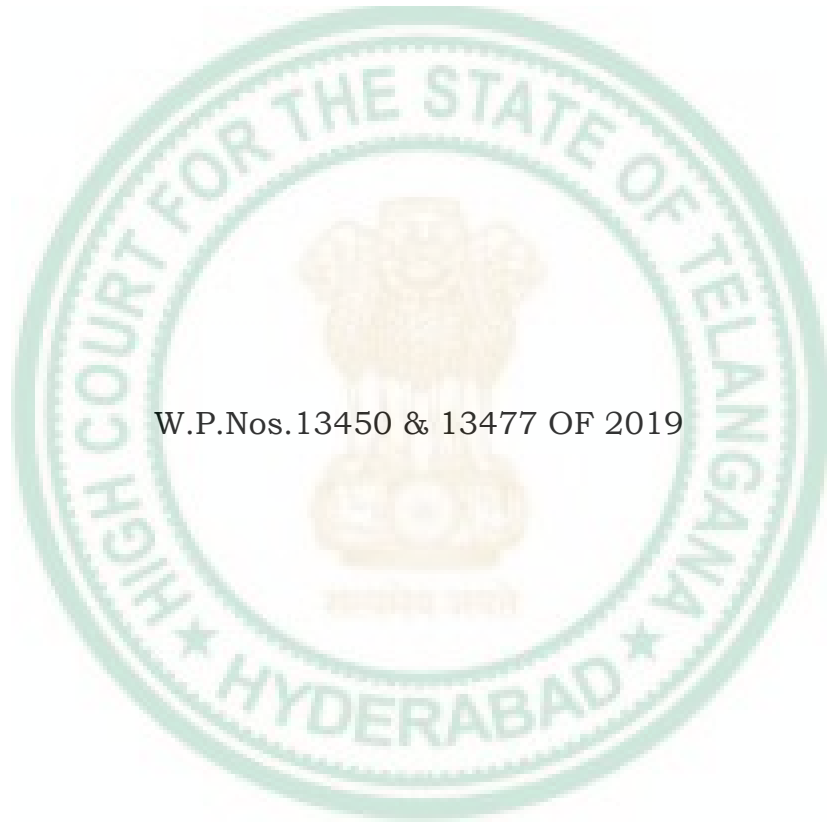
6. Today, when the matters are taken up, the Government Pleader produced copy of the Award in File No.B/273/2017-4 dated 31.5.2019. A reading of the said Award discloses that as directed by this Court, notices were issued and objections filed by the petitioners were considered and rejected and award is passed holding 6th respondent is entitled to receive compensation.

7. In view of the same, since award has already been passed, the cause in the writ petitions does not survive. Therefore, both the writ petitions are dismissed. However, if the petitioners are not satisfied with the said award, it is open for them to work out their remedies as available under law. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

P. NAVEEN RAO, J

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