

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 17122 OF 2019**

**ORDER :**

The action of the respondents in entering into the land of the petitioner admeasuring Ac.1.34 guntas in Survey No. 455, Acs.2.06 guntas in Survey No. 459 at Brahman Vellemula GP, Kothagudem Village, Narketpally Mandal, Nalgonda District, without following due process of law and without initiating the proceedings under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, for construction of double bed-room flats, is challenged in this Writ Petition.

Heard learned counsel for the petitioner.

Learned Government Pleader for Land Acquisition received written instructions from the Tahsildar, Narketpally Mandal. The sum and substance of the said instructions is that acquisition proceedings for the land in an extent of Acs.5.60 guntas in Survey Nos. 455 and 459 of Bramhana Vellemla Village of Narketpally Mandal were initiated after obtaining written consent on 07.11.1995 and 25.11.1995 from the lands owners, who include the petitioner (he being the minor at the relevant time, rep. by his mother and natural guardian) and Komatireddy Bayamma. Thereafter, after issuing draft notification under Section 4(1) of the Land Acquisition Act, 1894 and draft declaration under Section 6, Award dated 31.08.1996 was passed determining the market value at Rs.8,000/- per acre i.e. a total sum of Rs.60,508/- under Section 11(1) of the Act and possession of the land was taken over on 10.09.1996. Aggrieved by the said Award, the petitioner and

other landholders filed Writ Petition No. 19760 of 1996 which was dismissed for default on 24.01.2006. It is further stated that the awarded amount of Rs.38,898/- was paid to the petitioner. However, the petitioner suppressing the said fact, obtained agricultural loan over the subject land and thereafter, approached the Tahsildar's Office for issue of new pattadar passbooks for his lands in Survey Nos. 455 and 459, but the latter rejected his request.

It is to be noted that challenging the Notification No. LA4/1485/96, dated 21.01.1996 published in Nalgonda District Gazette dated 11.02.1996, the petitioner and his mother filed Writ Petition No. 19760 of 1996 and the same came to be dismissed for default.

In view of the same and also in view of the facts narrated in the written instructions received from the Tahsildar, Narketpally Mandal, there are no merits in the Writ Petition and it is accordingly dismissed. No costs.

**CHALLA KODANDA RAM, J**

01<sup>st</sup> November 2019

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