

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No. 28627 of 2019

Date: 26.12.2019

Between :

M/s The SNG Constructions and Developers,
Office at H.No.1-2-16, Vinayaka Nagar,
Serilingampally, Ranga Reddy district,
rep. by its Partners Nalamalapu Venkata Subba Reddy
and Appalashetty Gandia Nagabhushanam.

Petitioner

And

National Highways Authority of India,
rep. by its Chairman, New Delhi and
others.

Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, learned Standing Counsel for Respondent No.1 and learned Government Pleader for R&B for Respondents 2 and 3 and perused the record.

2. Petitioner firm claims to be absolute owner and in possession of land to an extent of Ac.2-10 guntas in Survey Nos.216 and 219 situated at Bechirag Madharam Revenue village, Suryapet mandal, Nalgonda district by virtue of registered sale deed dated 2.1.2019 bearing document No.14/2019. According to petitioner, the said land is bounded by a compound wall on all sides and has also two rooms for watchman and petitioner also obtained electricity connection to the said premises.

3. On instructions, the learned Government Pleader for R&B appearing for Respondents 2 and 3 submits that the subject land was originally acquired by the then Revenue Divisional Officer, Nalgonda in the year 1971 to 1974 by invoking the provisions of Land Acquisition Act for construction of NH-65 bypass as well as for construction of new Inspection Bungalow and accordingly award was passed fixing the cost of the land at Rs.3,789/- and R & B Department is in possession of the said land and a compound wall was also constructed in the year 2015. Opposing construction of compound wall, W.P.No.14090 of 2015 was filed by one Pandiri Nagi Reddy and this Court granted interim order of Status quo in the said writ petition and the same is pending.

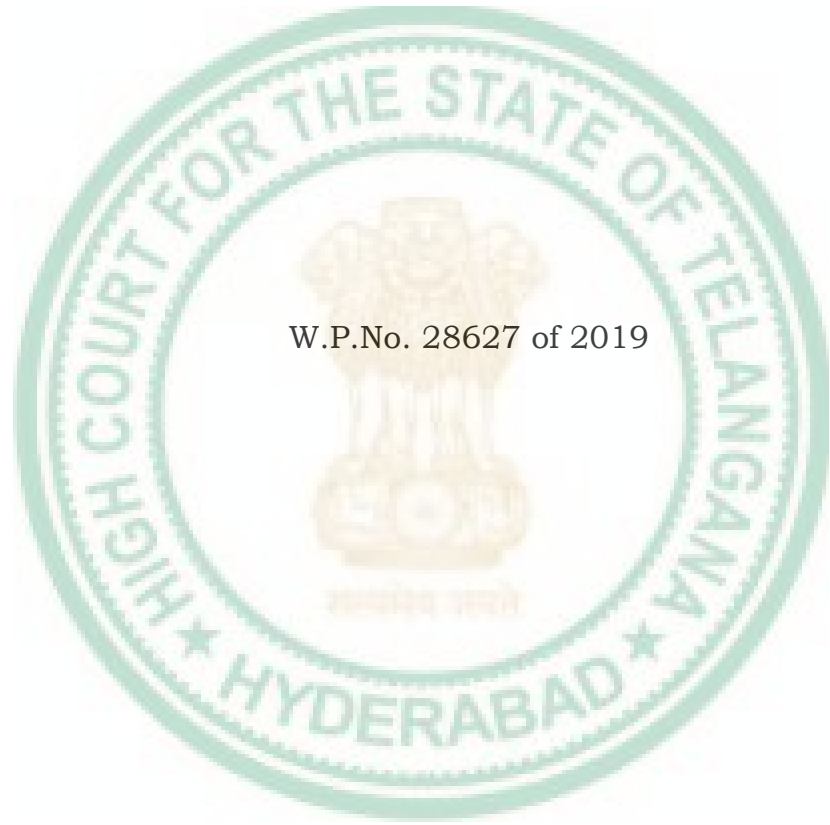
4. From the above, *prima facie* it is apparent that the vendor of the petitioner was himself not in possession of the subject property as claimed and therefore question of passing title and possession to the petitioner and petitioner claiming right over the same does not arise. Therefore, leaving open to the petitioner to work out its remedies as available under law to establish its title and possession in respect of the subject land, the writ petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

Date: 26.12.2019
DA

P.NAVEEN RAO,J



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