

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION Nos.10358, 10370, 10372
and 10375 of 2020

COMMON ORDER:

All these writ petitions are disposed of by this common order as the issue involved is one and the same.

In all these writ petitions, the only grievance of the petitioners is that the official respondents are trying to dispossess them from the subject lands, without issuing any land acquisition proceedings and without following due process of law.

The learned counsel for the petitioners states that the petitioners are the owners of the subject lands situated at Mutrajpally Village, Gajwel Mandal, Siddipet (Medak) District, and they are cultivating the same. He further states that on 04.07.2020, the fourth respondent – Tahsildar , Gajwel Mandal, came to the lands of the petitioners and tried to dispossess them on the ground that the lands are under acquisition for public utility i.e., for construction of houses under R & R Package for Mallanna Sagar & Kondapochamma Sagar Major Irrigation Projects.

The learned Special Government Pleader, on instructions, has stated that the petitioners shall not be dispossessed from the subject lands without paying the compensation, as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act') and the Rules made thereunder. The learned Special Government Pleader has further stated that the last survey number in Village Revenue Records is '331', but the petitioners are claiming the lands in Survey Nos.332, 333 and 334.

Without going into the question as to whether the land of the petitioner is in Survey Nos.332, 333 and 334 or Survey No.331, they will be paid the compensation for the extent of land, which is reflected in the pattadar passbook and title deed, pahanies recording them as pattadars. Though the counsel for the petitioners has tried to raise the issue that the acquisition itself is not proper, the pleadings and the main prayer in the writ petition are to the effect that the petitioners shall not be dispossessed without following due process.

Without going into the merits or demerits of the case, ends of justice would be met if the writ petitions are disposed of recording the above made submission of the learned Special Government Pleader and directing the official respondents not to dispossess the petitioners from the subject lands, except in accordance with law, and without paying compensation as per the Act and the rules made thereunder.

Accordingly, all the writ petitions are disposed of.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.ABHISHEK REDDY, J

Date: 06.08.2020
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