

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
And
HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.No.26827 of 2019

ORDER (Per Hon'ble Sri Justice P.Naveen Rao)

This writ petition is filed with the following prayer:

“to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents in not paying compensation to the petitioner, acquiring the lands of the petitioner for the purpose of construction of Mallanna Sagar Project Siddipet District in respect of the petitioner land an extent of Ac.16-00 guntas in Sy.No.263, 264, 311, 519, 530, 531 & 539, Sy.No.530-E Ac.0-33 guntas and 531-E Ac 3-16 guntas situated at Vemulghat Village, Thoguta Mandal, Siddipet District is illegal, arbitrary and being violative of Articles, 14, 21 and 300A of the Constitution of India and consequently direct the respondents to pay the compensation to the petitioner in respect of the petitioner above mentioned lands under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

“It is further prayed that this Hon'ble Court may be pleased to direct the respondents to pay the compensation to the petitioner land an extent of Ac.16-00 guntas in Sy.No.263, 264, 311, 519, 530, 531 & 539, Sy.No.530-E Ac.0-33 guntas and 531-E Ac 3-16 guntas situated at Vemulghat Village, Thoguta Mandal, Siddipet District acquired for the purpose of construction of Mallannasagar Siddipet District and pass such other order or orders in the interest of justice.”

02. It can be seen from the prayer sought, the petitioner was seeking compensation for the land mentioned in the prayer acquired for the purpose of construction of

Mallannasagar Project. According to respondents by the time acquisition was set in motion, subject land was already sold away and the name of the petitioner was not shown in revenue records. Therefore, her name was not reflected in preliminary notification. It is further contended that no objections were filed by the petitioner against preliminary notification within the stipulated time. It is also asserted that she was not in physical possession and not entitled to payment of any compensation. It is asserted that compensation was paid to the land owners who have been cultivating for more than 40 years. The Acquittance Roll in proof of payment of compensation is also enclosed to the counter affidavit.

03. No representation for the petitioner, even though the matter is listed under the caption 'for dismissal'. No reply affidavit is filed disputing the submissions made in the counter affidavit.

04. In view thereof, the writ petition is dismissed. As a sequel to the disposal of this writ petition, miscellaneous applications, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

P.NAVEEN RAO,J

05-02-2020

Nvl



