

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 37114 OF 2021

Between:

Penugonda Veera Mohan, S/o. Poomachandraiah, Aged about 34 years, occ.
Agriculture, R/o. H.No. 1-73, Dammakapeta Village, Manuguru Mandal,
Bhadradri-Kothagudem District-507117

...PETITIONER

AND

1. The State of Telangana, Rep. by its principal Secretary, Revenue Department, Secretariat, Hyderabad-500022.
2. The State of Telangana, Rep. by its principal Secretary, Department of Energy, Secretariat, Hyderabad-500022.
3. The District Collector-cum-Land Acquisition Officer, Kothagudem, Bhadradri-Kothagudem District-507 101
4. The Sub-Collector, Palvoncha-cum-Land Acquisition Officer, Bhadradri-Kothagudem District-507115.
5. The Sub-Collector, Bhadrachalam, Bhadradri-Kothagudem District.
6. The Tahsildar, Manuguru Mandal, Bhadradri-Kothagudem District-507117.
7. The Chief Engineer, construction BTPS, Manuguru, Bhadradri-Kothagudem District-507117.
8. The Superintendent Engineer, Civil, Kothagudem Thermal Power Station New Palvoncha, Bhadradri-Kothagudem District-507115.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not providing the petitioner, job i.e., Trainee Junior plant Attendant in Telangana State Genco under the control of Chief Engineer, construction, BTPS, Manuguru under Land Losers quota in lieu of acquiring land to an extent of Ac. 0-11 gts in Sy.No. 1054/2 and Ac. 0-19 gts in Sy.No. 1055/2 situated at Ramanujavaram Village, Manuguru Mandal, Bhadradri-Kothagudem District for construction of 4 into 270 MW Thermal Power Station at Manuguru, under section 31 (1) and 38 (1), I schedule and II schedule of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (No. 30 of 2013) and r/w. resolution dated. 17-04-2016 and 07-04-2016 by the District Collector, Bhadradri-Kothagudem District, Bhadradri-Thermal Power Station, Manuguru R and R Project adhoc committee is illegal, arbitrary null and void and section 14 of the constitution of India, inspite of many request orally and documentary

made to the respondents and consequentially direct the respondents to provide job to the petitioner i.e., Trainee Junior plant Attendant in Telangana State Genco under the control of Chief Engineer, construction, BTPS, Manuguru under Land Losers quota in lieu of acquiring land to an extent of Ac. 0-11 gts in Sy.No. 1054/2 and Ac. 0-19 gts in Sy.No. 1055/2 situated at Ramanujavaram Village, Manuguru Mandal, Bhadradri-Kothagudem District for construction of 4x270 MW Thermal Power Station at Manuguru, under section 31 (1) and 38 (1), I schedule and II schedule of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (No. 30 of 2013) and r/w. resolution dated. 17-04-2016 and 07-04-2016 by the District Collector, Bhadradri-Kothagudem District, Bhadradri-Thermal Power Station, Manuguru R and R Project adhoc committee.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to provide the petitioner, job i.e., Trainee Junior plant Attendant in Telangana State Genco under the control of Chief Engineer, construction, BTPS, Manuguru under Land Losers quota in lieu of acquiring land to an extent of Ac. 0-11 gts in Sy.No. 1054/2 and Ac. 0-19 gts in Sy.No. 1055/2 situated at Ramanujavaram Village, Manuguru Mandal, Bhadradri-Kothagudem District for construction of 4 into 270 MW Thermal Power Station at Manuguru, under section 31 (1) and 38 (1), I schedule and II schedule of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (No. 30 of 2013) and r/w. resolution dated. 17-04-2016 and 07-04-2016 by the District Collector, Bhadradri-Kothagudem District, Bhadradri-Thermal Power Station, Manuguru R and R Project adhoc committee pending disposal of the writ petition.

Counsel for the Petitioner: SRI S. MADAN MOHAN RAO

Counsel for the Respondent Nos. 1 to 6: GP FOR SERVICES-II

Counsel for the Respondent Nos. 7 and 8: Ms. A. DEEPTHI, SC FOR TRANSCO

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.37114 of 2021

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking the following relief:

"..... to issue writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not providing the petitioner job i.e., "Trainee Junior plant Attendant" in Telangana State Genco under the control of Chief Engineer, construction, BTPS Manuguru under 'Land Losers quota' in lieu of acquiring land to an extent of Ac.0-11 gts., in Sy.No.1054/2 and Ac.0-19 gts in Sy.No.1055/2 situated at Ramanujavaram Village, Manuguru Mandal, Bhadradi-Kothagudem District for construction of 4x270 MW Thermal Power Station at Manuguru under section 31 (1) and 38 (1), I schedule and II schedule of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (No.30 of 2013) and r/w resolution dated 17.04.2016 and 07.04.2016 by the District Collector, Bhadradi-Kothagudem District, Bhadradi-Thermal Power Station, Manuguru R and R Project adhoc committee is illegal, arbitrary, null and void and section 14 of the Constitution of India, inspite of many request orally and documentary made to the respondents and consequently direct the respondents to provide job to the petitioner i.e., Trainee Junior Plant Attendant" in Telangana State Genco under the control of Chief Engineer, Construction, BTPS, Manuguru under 'Land Losers quota' in lieu of acquiring land to an extent of Ac.0-11 gts., in Sy.No.1054/2 and Ac.0-19 gts in Sy.No.1055/2 situated at Ramanujavaram Village, Manuguru Mandal, Bhadradi-Kothagudem District for construction of 4x270 MW Thermal Power Station at Manuguru under section 31 (1) and 38 (1), I schedule and II schedule of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and

Resettlement Act, 2013 (No.30 of 2013) and r/w resolution dated 17.04.2016 and 07.04.2016 by the District Collector, Bhadradi-Kothagudem District, Bhadradi-Thermal Power Station, Manuguru R and R Project adhoc committee".

Heard Sri S.Madan Mohan Rao, learned counsel appearing for the petitioner, learned Government Pleader for Services-II and Ms.A.Deepthi, learned Standing counsel appearing for respondents 7 and 8.

It has been contended by the petitioner that his family owned agricultural land and the respondents have acquired agricultural land for establishing power station and assured him that employment would be provided to him in terms of the policy of the respondents. In those set of circumstances, he has submitted a detailed representation to the respondents on 31.10.2016 requesting to provide employment, as he is a land oustee. But, so far, the respondents have not passed any orders on the said representation.

Therefore, learned counsel appearing for the petitioner had contended that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for providing employment in terms of the policy of the respondents, as the petitioner is a land oustee.

Learned Government Pleader appearing for the respondents had contended that the petitioner's brother was already provided employment. Be that as it may, since the representation of the petitioner is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law,

This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 31.10.2016 and pass appropriate orders in accordance with law.

With the above directions, the writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad-500022.
2. The principal Secretary, Department of Energy, State of Telangana Secretariat, Hyderabad-500022.
3. The District Collector-cum-Land Acquisition Officer, Kothagudem, Bhadradi-Kothagudem District-507 101
4. The Sub-Collector, Palvoncha-cum-Land Acquisition Officer, Bhadradi-Kothagudem District-507115.
5. The Sub-Collector, Bhadrachalam, Bhadradi-Kothagudem District.
6. The Tahsildar, Manuguru Mandal, Bhadradi-Kothagudem District-507117.
7. The Chief Engineer, construction BTPS, Manuguru, Bhadradi-Kothagudem District-507117.
8. The Superintendent Engineer, Civil, Kothagudem Thermal Power Station New Palvoncha, Bhadradi-Kothagudem District-507115.
9. One CC to SRI S. MADAN MOHAN RAO Advocate [OPUC]
10. Two CCs to GP FOR SERVICES-II, High Court for the State of Telangana at Hyderabad. [OUT]
11. One CC to Ms. A. DEEPTHI, SC FOR TRANSCO [OPUC]
12. Two CD Copies.
13. One spare copy.

NPJ
SB



HIGH COURT

DATED:31/12/2021



ORDER

WP.No.37114 of 2021

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

ATF 15
20/1/2022