

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION Nos. 29804 of 2022, 27900 of 2022,
37145 of 2022 and 37159 of 2022.

COMMON ORDER:

Heard Sri A.Narasimha Rao, Learned counsel appearing for the petitioners in W.P.No.29804 of 2022. Sri V.Hariharan, Learned senior counsel for Sri Srikanth Hariharan, Learned counsel for the petitioner in W.P.No.27900 of 2022. Sri D.Sudharshan, Learned counsel for petitioners in W.P.Nos.37145, 37159 of 2022. Learned Assistant Pleader for Revenue and Sri L.Prabhakar Reddy, Learned Standing Counsel for TSIIC. All these matters pertaining to the same scheduled property in Sy.No.67 of Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District.

2. Learned Counsel for the petitioners appearing in W.P.No.29804 of 2022 submits that the petitioners are the Legal heirs of late Sri N.Raghava Rao. The petitioners

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claiming that late Sri N.Raghavarao was absolute owner and possessor of the land admeasuring to an extent of Ac.17.31 guntas in Sy.No.67 situated at Adibhatla Village, Ibrahimpatnam Mandal, Ranga Reddy District having purchased the same from the lawful owners Sri Palle Swamy and others for valid consideration on 19.12.1995. Ever since the purchase of the said land in peaceful possession and enjoyment of the same without any hindrance and his name was also printed in the records as owner of the property. Till the date of his demise that is 06.07.2020, he was in possession and enjoyment of the said property. Thereafter the petitioner Nos.1 and 2 being legal heirs of him came into possession of the said property. The then Government of Andhra Pradesh has proposed to acquire the lands within the vicinity for the purpose of expansion of hardware park by the then A.P.I.I.C now T.S.I.I.C and issued land acquisition notification under Section 4(1) of the Land Acquisition Act. In the said notification, names of the vendors of Sri

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N.Raghava Rao were found place. After the said notification neither compensation nor possession was taken over by the A.P.I.I.C. While pending the proceedings Late Sri N.Raghava Rao name was incorporated in the revenue records as owner and possessor of the land, in spite of that the A.P.I.I.C name was shown as enjoyer of the property. Recently, the respondents without issuing any notices to the family members of late Sri N.Raghavarao recorded the T.S.I.I.C. Now the petitioners questioning the action of the respondent Nos.1 to 5 in not deleting the name of the respondent No.6 from the revenue records pertaining to the suit scheduled land and also seeking declaration for the land acquisition proceedings initiated in this regard for lapse long back and the same is arbitrary and illegal and requested to allow the writ petition.

3. The Learned Senior Counsel appearing for the petitioner in W.P.No.27900 of 2022 submits that the petitioner herein purchased the two (2) pieces of agricultural

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lands admeasuring to an extent of Ac.1.00 guntas and Ac.2.00 guntas in Sy.No.67 respectively *vide* registered documents bearing Nos.559/2011 dated 28.01.2011 and 560/2011 dated 28.01.2011 situated at Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District from Sri Nagulpalli Raghava Rao, S/o N. Srinivas Rao for valuable sale consideration. From the date of purchase, the petitioner is in possession and enjoyment of the said land and cultivated agricultural crops. Now without power and jurisdiction and without initiating land acquisition proceedings, the Respondent-Corporation interfering the possession of the petitioner and requested to allow the Writ Petition.

4. Learned counsel for the petitioner appearing in W.P.No.37145 of 2022 submits that the petitioner is absolute owner and possessor of the agricultural land admeasuring to an extent of Ac.2.00 guntas in Sy.No.67 situated at Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District through registered sale deed purchased from Sri Nagulapalli

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Raghava Rao, S/o N.Srinivasrao for valuable sale consideration *vide* document No.558/2011 dated 01.02.2011. From the date of purchase, the petitioner is in possession and enjoyment of the said land and cultivated agricultural crops. Now without power and jurisdiction and without initiating land acquisition proceedings, the Respondent-Corporation interfering the possession of the petitioner and requested to allow the Writ Petition.

5. Learned counsel for the petitioner appearing in W.P.No.37159 of 2022 submits that the petitioner is the owner and possessor of the land admeasuring to an extent of Ac.1.20 guntas in Sy.No.67 situated at Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District through registered sale deed purchased from Sri Nagulapalli Raghava Rao, S/o N.Srinivas Rao for valuable sale consideration *vide* document No.1755/2011 dated 15.03.2011. From the date of purchase, the petitioner is in possession and enjoyment of the said land and cultivated agricultural crops. Now without

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power and jurisdiction and without initiating land acquisition proceedings, the Respondent-Corporation interfering the possession of the petitioner and requested to allow the Writ Petition.

6. Sri L.Prabhakar Reddy, Learned Standing Counsel for the Telangana State Industrial Infrastructure Corporation Limited submits that the petitioners herein approached this court suppressing the material facts with unclean hands. Therefore, they are not entitled for any relief from this court. All these petitioners are claiming their rights through late Sri N.Raghava Rao basing on the document dated 19.12.1995 which is an agreement of sale on Rs.500/- stamp paper showing that Sri N.Raghava Rao is an agreement holder in respect of Ac.17.31 guntas in Sy.No.67 from Sri Palle Swami, Palle Yashoda, Palle Srinivasulu and Palle Chandrasekar all are residents of Bangoloor Village, Ibrahimpatnam Mandal, Ranga Reddy District. The then A.P.I.I.C filed requisition for acquisition of patta lands for a total extent of Ac.329-27

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guntas in Sy.No.46 to 62 and 64 to 67 of Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District for public purpose namely for the expansion of hardware park on 17.11.2004 before the District Collector, Ranga Reddy and initiated land acquisition proceedings under Land Acquisition Act, 1894 and after conducting an enquiry seven (7) different awards were passed by the land acquisition officers in respect of Ac.323.33 guntas by awarding compensation including the land to the total extent of Ac.17.31 guntas in Sy.No.67 of Adibhatla Village. The Land Acquisition award passed in award No.C/484/04 dated 23.02.2006 by following the procedure under the Land Acquisition Act, 1894. The Respondent-Corporation deposited the required amounts for payment of compensation and possession of the lands including the subject matter of the writ petition was hand over along with other lands to the Corporation as early as on 25.03.2006 under the cover of Panchanama and by virtue of

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the said delivery of possession, the Corporation is in possession of the scheduled property.

7. Learned Standing Counsel for the respondents further submits that Late N.Raghava Rao filed W.P.No.24664 of 2019 making the very same claim to delete the name of the Corporation scheduled land. But the said Writ Petition was dismissed by this court on 11.11.2019 and the same was became final. Suppressing the said fact, the present writ petitions filed by the petitioners. In fact, now the petitioners in all these writ petitions are rival claims for the same scheduled property and the petitioners herein are not approach the competent Civil Court for their respective claims and filed present writ petitions with different prayers and the same are liable to the dismissed and requested to dismiss all the Writ Petitions.

8. After hearing on the both sides, this court is of considered view that all the petitioners in the Writ Petitions claiming their rights through Late Sri N.Raghava Rao, S/o

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N.Srinivas Rao in fact the land acquisition proceedings were concluded in the year 2006 and award passed by the competent authority in award No.C/484/04 dated 23.02.2006 and the same was became final and Panchanama conducted on 25.03.2006 for handover the land to the Respondent-Corporation. Moreover, the writ petition filed by the Late N.Raghava Rao in W.P.No.24664 of 2019 was dismissed on 11.11.2019 and for the same said prayer writ petition filed by his legal heirs in W.P.No.29804 of 2022 by suppressing the said facts. In view of the same, there are no merits in the contention of the petitioners in W.P.No.29804 of 2022. The petitioners in W.P.No.29804 of 2022 being legal heirs of late N.Raghava Rao claiming total extent of Ac.17.31 guntas in Sy.No.67 situated at Adibatla Village but the petitioners in other writ petitions claiming parts of the very same scheduled land and seeking relief against the Respondent-Corporation. It is clearly shows that there are rival claims between the petitioners in the present writ

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petitions. The petitioners in respective writ petitions cannot claim for the same land in different writ petitions, pending civil disputes between them. Therefore, there is no merits in all these writ petitions to interfere by this court.

9. Accordingly, all the Writ Petitions are dismissed. There shall no order as to costs.

10. Miscellaneous petitions pending, if any, in these Writ Petitions shall stand closed.

JUSTICE K.SARATH

Date:31.01.2023

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