

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.39535 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Assistant Government Pleader for Land Acquisition and Sri Katika Ravinder Reddy, learned Standing Counsel appearing for Greater Hyderabad Municipal Corporation.

2. The petitioner states that he is the owner of house property bearing No.17-2-506 situated in T.S. Ward No.182/3, Ward No.175, Block – C, Saidabad Village and Mandal, Hyderabad and land to an extent of 100.80 sq. yards was acquired by respondent Nos.2 and 3 under the award proceedings No.A/1052/2008, dated 28.03.2016. The petitioner stated that he has submitted an application seeking reference on 21.08.2010, which was acknowledged by respondent No.3, but thereafter, no orders were passed. The petitioner further stated that since he has received compensation under protest, he sought reference under Section 18 of the Land Acquisition Act, 1894 under the aforesaid application claiming compensation of Rs.50,000/- per sq. yard. Since no action is taken on that application, the petitioner has filed one more application dated 19.12.2015, which was again acknowledged

by respondent No.3, but since no orders are passed thereon, the present writ petition is filed.

3. Learned Assistant Government Pleader for Land Acquisition submitted that as per the Inward Register maintained by respondent No.3, the representation dated 21.08.2010 said to have been submitted by the petitioner is not found.

4. However, learned counsel for the petitioner submitted that the representation dated 21.08.2010 was duly acknowledged by the office of respondent No.3 and a seal is also affixed on the representation dated 21.08.2010.

5. As stated above, since both the applications of the petitioner, referred to above, are acknowledged by respondent No.3, it is the duty of respondent No.3 to have examined the said applications as to whether they are filed within the time and whether the petitioner is entitled to seek reference on the facts and circumstances and pass appropriate orders. Since it is apparent that no orders are passed on the said application, respondent No.3 is directed to consider the said applications and pass appropriate orders thereon, preferably, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

MUMMINENI SUDHEER KUMAR, J

Date:03.01.2023

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