

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

TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 22843 OF 2024

Between:

Savanapelli Devadas, S/o. Narsaiah, Aged about 45 years, Occ. Agriculture,
R/o. 7-2-47, Subashnagar, Siricilla, Rajanna-Siricilla District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department (Land Acquisition), Secretariat, Saifabad, Hyderabad.
2. The District Collector, Rajanna-Siricilla District, Siricilla.
3. The Land Acquisition Officer and Special Deputy Collector, LA, Unit-VII, FFC/MMR and Dr. B.R. Ambedkar PCSSP, Rajanna-Siricilla
4. The Revenue Divisional Officer, Siricilla Division, Rajanna-Siricilla District.
5. The Tahsildar, Siricilla Mandal, Rajanna-Siricilla District.

...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 any appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th respondent- Revenue Divisional Officer in not considering the petitioner's representation dated 11-08-2023 for payment of compensation for the land in Sy.No.164, admeasuring Ac. 1-16 Gts., situated at Bonala Village, Siricilla Mandal, Rajanna-Siricilla District, acquired for the purpose of Kaleswaram Project, Package-9, as illegal, arbitrary, unconstitutional, against the principles of natural justice, and contrary to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and consequently direct the Respondents No. 2 to 5 to pay the compensation to the petitioner for the land admeasuring Ac. 1-16 Gts. in Sy.No. 164 of Bonala Village, in the interest of justice

IA NO: 1 OF 2024

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 4th respondent to consider the representation of the petitioner dated 11-08-2023, pending disposal of writ petition

IA NO: 2 OF 2024

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 permit the Petitioner / Proposed Respondent No.6 to come on record in W.P. No.22843 of 2024 and the Miscellaneous Applications therein as Respondent No.6

Counsel for the Petitioner: SRI. THIMMARAJU RAMCHANDRA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.22843 of 2024

ORDER:

Heard learned counsel for the petitioner, learned Assistant Government Pleader attached to the office of the learned Advocate General appearing on behalf of respondents and perused the record.

2. The present Writ Petition is filed to declare the action of the 4th respondent in not considering the petitioner's representation dt.11.08.2023 for payment of compensation for the land in Sy.No.164 admeasuring Ac.1.16 guntas situated at Bonala Village, Siricilla Mandal, Rajanna-Siricilla District, acquired for the purpose of Kaleswaram Project, as being illegal, arbitrary and unconstitutional and against the principles of natural justice and also the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (for short, 'the Act').

3. Today, when the Writ Petition is taken up for hearing, learned Assistant Government Pleader attached to the office of the Advocate General has placed before this Court the written instructions dt.16.12.2024 under the signature of the 3rd respondent.

4. By the written instructions, it is stated that the preliminary notification was approved by the Collector, Rajanna-Sircilla, on 05.02.2018

and thereafter, a preliminary declaration was also approved by the Collector, *vide* proceedings dt.13.12.2021 and compensation to the total extent has been paid to the eligible awardees, except in relation to land admeasuring Acs.2.05 guntas.

5. By the written instructions, it is also stated that the subject land being claimed by the petitioner admeasuring Ac.1.16 guntas forms part of the aforesaid balance extent of Acs.2.05 guntas and the acquisition proceedings while were at award enquiry stage, the preliminary declaration had lapsed.

6. Learned Assistant Government Pleader would further submit that since no extension has been obtained in respect of the preliminary declaration, the claim of the petitioner of the respondents-authorities not considering his representation dt.11.08.2023 would not arise, inasmuch as the land acquisition proceeding to an extent of Acs.2.05 guntas, which were initiated by issuing preliminary notification dt.05.02.2018, stood lapsed by virtue of operation of provisions of the Act.

7. The aforesaid written instructions are placed on record of this Court.

8. I have taken note of the respective contentions urged.

9. Having regard to the submissions made as above, and taking note of the fact that the land acquisition proceeding to an extent of Acs.2.05 guntas initiated vide preliminary notification dt.05.02.2018 stand lapsed, this Court is of the view that the grievance of the petitioner of the respondents-authorities not considering his representation for payment of compensation need not be gone into as the petitioner's lands stands outside of acquisition and thus, no further orders are necessary in the present Writ Petition.

10. Accordingly, the Writ Petition is closed. No order as to costs.

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

**SD/-K. AMMAJI
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. THIMMARAJU RAMCHANDRA RAO, Advocate [OPUC]
2. Two CCs to GP FOR REVENUE High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CD Copies

B M
BS



HIGH COURT

DATED:31/12/2024

ORDER

WP.No.22843 of 2024



CLOSING THE WRIT PETITION WITHOUT COSTS

⑥

kp
28/1/25