

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

**MONDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 6157 OF 2016

Between:

1. K. Narsing Rao, S/o. Balaiah, Age 70 years, Occ Agriculture, R/o. 11-5-154, Moosapet, Hyderabad.
2. T. Muralidhar Rao, S/o. Venkanna, Aged 70 years, Occ Agriculture, R/o. 11-5-154, Moosapet, Hyderabad.
3. C. Narasinga Rao, S/o. Rama Swamy, Aged 65 years, Occ Agriculture, R/o. 11-5-221/1, Moosapet, Hyderabad.
4. T. Manimala, W/o. Mohan, Aged 55 years, Occ. Housewife, R/o. 11-5-221/1, Moosapet, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund Road, Hyderabad.
3. The District Collector, Lakdikapool, Ranga Reddy District., -
4. The Hyderabad Metro Rail Project Ltd., Rep. by its Chairman and Managing Director, Saifabad, Hyderabad.
5. The Additional City Planner, West Zone, GHMC, Kukatpally, Hyderabad.
6. The Special Deputy Collector/Land Acquisition Office, Metro Rail Project Ltd., Hyderabad.

...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 a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action of the Respondents in not passing the supplementary award in respect of the properties of the petitioners in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, as illegal, arbitrary, to the provisions of the of the Act 30 of 2013 and consequently direct the Respondents to consider the representation dt. 19-01-2015 made by the petitioners and pass

supplementary award in accordance with the provisions of the above said Act in respect of the properties acquired for Metro Rail Project

I.A. NO: 1 OF 2016(WPMP. NO: 7819 OF 2016)

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 6th Respondent to consider the representation dated 09-01-2015 made by the Petitioner and pass supplementary award in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Act 30 of 2013) in respect of the properties of the petitioners, pending disposal of the main writ petition

Counsel for the Petitioner: SRI. J. VENKATESWARA REDDY

Counsel for the Respondent Nos. 1&3,6: GP FOR LAND ACQUISITION

**Counsel for the Respondent Nos.2&5: SRI MIDDE ARUN KUMAR,
SC FOR MUNICIPALITY**

Counsel for the Respondent No.4: SRI P. RADHIVE REDDY, SC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.6157 of 2016

ORDER:

This matter is listed under the caption "Specially Identified Cases (Infructuous)" to inform as to whether the cause in the Writ Petition survives for adjudication or not.

2. Today, when the matter is called, there is no representation on behalf of the petitioners. On the previous dates of hearing also i.e. 29-11-2024, 06-12-2024, 13.12.2024, and 23.12-2024, there was no representation on behalf of the petitioners.

3. Learned Standing Counsel appearing on behalf of the 4th respondent has placed before this Court the written instructions under the signature of 4th respondent.

4. By the written instructions, it is stated that the authorities have passed an Award dated 30.07.2013 and the petitioners have received compensation in terms of the Award on 22.12.2013 and thus the petitioners cannot seek for passing of supplementary Award under Right to Fair Compensation, and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act') which has come into force only with effect from 01.01.2024.

5. Learned Standing Counsel appearing on behalf of respondents would further submit that since the land acquisition proceedings were initiated under the Land Acquisition Act, 1894, the same would get saved by virtue of operation of provisions of Section 24(2) of the Act, which position has been clarified by the Constitution bench decision of the Apex Court in **Indore Development Authority v. Manoharlal**¹.

6. In view of the aforesaid submission and taking note of the fact that there has been no appearance on behalf of the petitioners today as well as on the previous dates of hearing as noted above, this Court is of the view that the petitioners are not interested to pursue the matter.

7. Therefore, the Writ Petition is closed. However, liberty is granted to the petitioners to seek revival of the Writ Petition within the period of limitation as applicable for restoration, in the event the cause in the Writ Petition survives for adjudication.

As a sequel, miscellaneous petitions pending if any shall stand closed. No costs.

(2020) 8 SCC 129

SD/-K. SREE RAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. J. VENKATESWARA REDDY, Advocate [OPUC]
2. One CC to SRI. MIDDE ARUN KUMAR, SC FOR MUNICIPALITY [OPUC]
3. One CC to SRI. P. RADIVE REDDY, SC [OPUC]
4. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

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HIGH COURT

DATED:30/12/2024

ORDER

WP.No.6157 of 2016



CLOSING THE WRIT PETITION WITHOUT COSTS

⑧CHR
13/2/28