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

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 10496 OF 2022

Between:

1. Kurva Anjanamma, w/o KurvaNarsimulu, aged about. 34 years, occ. Agriculture, r/o 6-43, Chinnonipally, Chadadona village, Ghattumandal, Dist Mahbubnagar
2. Kurva ChinnaVenkatesh, s/o Sunkanna, aged about. 40 years, occ. Agriculture, r/o Chinnonipally, Chadadona village, Ghattumandal, DistMahboobnagar

...PETITIONERS

AND

1. State of Telangana, Rep by its Principal Secretary, Revenue, Secretariat Building Hyderabad.
2. District Collector, Jogulamba Gadwal District.
3. Special Deputy Collector (Land acquisition), Jawahar Lift Irrigation project, at Jogulamba Gadwal District.
4. Revenue Divisional Officer, Gadwal.
5. Tahsildar, Ghattumandal.
6. Distirct Forest Officer, Jogulamba Gadwal District Wanapathy.

...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 an appropriate writ, order or directions more particularly one in the nature of Writ of Mandamus declaring the in action of respondent No. 2 to 5 in payment of compensation of 1034 Teak trees falling within the land of the 1st petitioner and 120 Teak trees falling within the land of the 2nd petitioner in Survey No. 463 situated at Chadadona village, Ghattumandal Dist. MahboobNagar admeasuring to an extent of of Ac 5.00 gts acquired under the 2nd phase for Jawahar Lift Irrigation project in the year 2010as illegal, void arbitrary and violative of Art 14, 21 and 300A of Constitution of India and Consequently issue directions to the respondents No. 2 to 5 to pay compensation for 1034 Teak trees falling within the land of the 1st petitioner and 124 Teak

trees falling within the land of the 2nd petitioner in Survey No. 463 situated at Chadadona village, Ghattumandal Dist. MahboobNagar which is acquired under the 2nd phase in 2010 and 2nd phase in 2009 of Jawahar Lift Irrigation project.

I.A. NO.1 OF 2022

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 issue directions to respondents No. 2 to 5 to pay compensation for 1034 Teak trees falling within the land of the 1st petitioner and 124 Teak trees falling within the land of the 2nd petitioner in Survey No. 463 situated at Chadadona village, Ghattumandal Dist. MahboobNagar which is acquired under the 1st phase in 2006 and 2nd phase in 2009 of Jawahar Lift Irrigation project.

Counsel for the Petitioners : SRI.T.V.KALYAN SINGH

Counsel for the Respondent Nos.1, 2, 4 & 5 : GP FOR REVENUE

Counsel for the Respondent No.3 : GP FOR LAND ACQUISITION

Counsel for the Respondent No.6 : GP FOR FORESTS

The Court at the stage of admission made the following ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

Writ Petition No.10496 of 2022

ORDER:

Heard the learned counsel for the petitioners, the learned Government Pleader for Revenue, learned Government Pleader for Land Acquisitions and learned Government Pleader for Forests, for the respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Aggrieved by the inaction of the respondent Nos.2 to 5 in paying the compensation for the teak trees falling within the respective lands of the petitioners situated in survey No.463, Chadadona Village, Ghattu Mandal, Mahabub Nagar District, the present writ petition is filed.

Learned Government Pleader for Forests has submitted, across the Bench, the written instructions received from respondent No.6. Relevant portion of the same reads as under:

“In this case the enumeration list and valuation report of above (496) teak trees pertaining to Smt.Anjamma, W/o.Narsimulu, R/o.Chinnonipally and Kurva China Venkataiah, S/o.Sunkanna, Occup:Agriculture, R/o.Chinnonipally (v), Chadadona (v), Ghattu (M), Mahabubnagar (D) in Sy.No.463 at Chadadona Shivar Ghattu Mandal was done in the part of Forest Department.”

Having regard to the above instructions of the respondent No.6, the respondent No.3-Special Deputy Collector (Land Acquisition) is directed to verify whether any such report has been sent by respondent No.6. In case such a report is submitted by the respondent No.6, the respondent No.3 shall take necessary steps for paying the compensation amount for 496 teak trees, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order, duly taking into consideration the proceedings of the Chief Conservator of Forest, FD, Amrabad Tiger Reserve, Achampet, in Rc.No.410/2020/FT-S, dated 24.04.2021. If the report of the respondent No.6 is not yet received, the respondent No.3 shall, forthwith, send a reminder to respondent No.6, who shall act on the same. In respect of the claim of the petitioners over remaining teak trees, they are at liberty to approach the competent authority, if they are so advised.

Accordingly, the Writ Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

SD/-M.MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue, Secretariat Building, State of Telangana, Hyderabad.
2. The District Collector, Jogulamba Gadwal District.

3. The Special Deputy Collector (Land acquisition), Jawahar Lift Irrigation project at Jogulamba, Gadwal District.
4. The Revenue Divisional Officer, Gadwal.
5. The Tahsildar, Ghattumandal.
6. The District Forest Officer, Jogulamba Gadwal District Wanapathy. One CC to SRI.T.V.KALYAN SINGH, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana at Hyderabad. [OUT]
9. Two CCs to GP FOR FORESTS, High Court for the State of Telangana at Hyderabad. [OUT]
10. Two CD Copies
11. One spare copy

S.A.

BS

11/11



HIGH COURT

DATED:07/03/2022



ORDER

WP.No.10496 of 2022

**DISPOSING OF THE W.P
AT THE STAGE OF ADMISSION
WITHOUT COSTS.**

15
25/3/22
Hv