

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY

:PRESENT:

**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY**

WRIT PETITION NOS: 5415 & 2389 OF 2020

WP. NO. 5415 OF 2020:

Between:

1. B. Shyam Sundar Reddy, S/o Sanjeeva Reddy,
2. B. Malla Reddy, S/o Late Ram Reddy,
3. K. Sathyanarayana Reddy, S/o Late Ram Reddy,
4. Mallampally Ailaiah, S/o Late Ilaiah,

All are residents of Bahilampur Village, Mulugu mandal, Siddipet District, (erstwhile Medak), Telangana State

Petitioners

AND

1. State of Telangana, Represented by its Principal Secretary, Revenue Department (J.A and L.A), T.S Secretariat Buildings, Hyderabad
2. State of Telangana, Represented by its Principal Secretary, Irrigation and CAD Department, T.S. Secretariat Buildings, Hyderabad
3. Commissioner, Rehabilitation and Resettlement, Government of Telangana, Buddha Bhavan, Ranigunj, Hyderabad
4. District Collector, Siddipet District, Siddipet
5. District Joint Collector and Administrator, R and R, Siddipet District, Siddipet
6. Competent Authority and Revenue Divisional Officer, Gajwel, Division, Siddipet District
7. Mandal Tahasildar, Mulugu Mandal, Siddipet District
8. Superintendent Engineer, Kaleshwaram Project, Construction Circle No 3, Irrigation and CAD Department, Gajwel, Siddipet 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 a Writ or order more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent authorities in passing compensation awards under Section 23 and 30 of Act 30 of 2013 for the residential houses of the petitioners in Bahilampur Village, Mulugu Mandal, in violation of Section 23A and rules therein, proceeding to deposit compensation with the competent authority and to pass R and R awards under Section 31 without following due process of law and without considering petitioners' representations as illegal, unconstitutional, against principles of natural justice and consequently set aside the award proceeding No. D/1274/2018 dated 11-11-2019, award notice dated 16-12-2019 and R and R notice dated 20-11-2019 and direct the respondent authorities to initiate and complete the negotiation process with the petitioners for compensation and R and R under Section 23A and 31A of amended Act 21 of 2017, before taking possession and causing submergence of their houses under acquisition;

IA NO: 1 OF 2020:

Petition under Section 151 of CPC, praying that in the circumstances stated in the writ petition, the High Court may be pleased to direct the respondents not to take any coercive steps against the petitioners, including removal of essential infrastructure like roads, water supply, electricity connections, communication lines etc., and causing submergence of the

houses of the petitioners in Bahilampur Village, Mulugu Mandal, Siddipet District, pending disposal of WP. No. 5415 of 2020, on the file of the High Court.

W.P. NO. 2389 OF 2020

Between:

1. Aedla Pochaiiah, S/o. Sailu,
2. Aedla Venkataiah, S/o. Sailu,
3. Aedla Yadagiri, S/o. Sailu,
4. Aedla Mallaiah, S/o. Sailu,
5. Aedla Kistaiah, S/o. Narsaiah,
6. Aedla Ramaswamy, S/o. Narsaiah,
7. Bollam Balanarsaiah, S/o. Narsaiah,
8. Bollam Raghupathi, S/o. Narsaiah,
9. Bade Chandraiah, S/o. Balnarsu,
10. Jeedikanti Pochaiiah, S/o. Kistaiah,
11. Dacharam Balnarsaiah, S/o. Anjaiah,
12. Dacharam Balaiah, S/o. Kondaiah,
13. Dacharam Ramulu, S/o. Kondaiah,
14. Dacharam Mallaiah, S/o. Kondaiah,
15. Tammala Srinivas, S/o. Ballingam,
16. Mothukuri Ramachary, S/o. Ramakistaiah,
17. Pachimadla Balnarsaiah, S/o. Bhumaiah,
18. Pachimadla Srinivas, S/o. Balnarsaiah,
19. Pachimadla Krishna, S/o. Balnarsaiah,
20. Vanteru Devi Reddy, S/o. Venkatanarsareddy
21. Yedla Mallaiah, S/o. Rajamallaiah,
22. Bollam Susheela, W/o. Balnarsaiah,

All are residents of Mamidyala Village, Mulugu mandal, Siddipet District, (erstwhile Medak), Telangana State

Petitioners

AND

1. State of Telangana, Represented by its Principal Secretary, Revenue Department (J.A and L.A), T.S Secretariat Buildings, Hyderabad
2. State of Telangana, Represented by its Principal Secretary, Irrigation and CAD Department, T.S. Secretariat Buildings, Hyderabad
3. Commissioner, Rehabilitation and Resettlement, Government of Telangana, Budha Bhavan, Rani Gunj, Hyderabad
4. District Collector, Siddipet District, Siddipet
5. District Joint Collector, and Administrator, R and R, Siddipet District, Siddipet
6. Competent Authority and Revenue Divisional Officer, Gajwel, Division, Siddipet District
7. Mandal Tahasildar, Mulugu Mandal, Siddipet District
8. Superintendent Engineer, Kaleshwaram Project, Construction Circle No. 3, Irrigation and CAD Department, Gajwel, Siddipet 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 a Writ or order more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent authorities in passing compensation awards under Section 23 and 30 of Act 30 of 2013 for the residential houses of the petitioners in Mamidiyala Village, Mulugu Mandal, in violation of Section 23A and rules therein, proceeding to deposit compensation with the competent authority and to pass R and R awards under Section 31 without following due process of law and without considering the petitioners' representations as illegal, unconstitutional and consequently set aside the award proceeding No. D/ 1388/2018-9 dated 11-11-2019, notice dated 16-12-2019 and R and R notice dated 20-11-2019 and direct the respondent authorities to initiate and complete the negotiation process with the petitioners for compensation and R and R under Section 23A and 31A of amended Act 21 of 2017 before taking possession and causing submergence of their houses under acquisition;