



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3311]

(Special Original Jurisdiction)

Thursday, the twelfth day of February two thousand and twenty six

Present

The Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No.3914 of 2026

Between:

Angeri Chinna Surya Nageswara Reddy

...Petitioner

and

The State of Andhra Pradesh and others

...Respondents

Counsel for the petitioner:

1. Talari Rajeswari

Counsel for the respondents:

1. Venkat Challa

2. G.P. for Revenue

The Court made the following:

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the action of the respondents in proceeding with erection of 765 KV D/C transmission line and power poles through the petitioner's private residential house plots situated in Survey Nos.506-1, 507-1, 507-2, 507-3, and 507-4 of Nandipadu village, Kolimigundla Mandal, Nandyal District, without consent and without payment of just, fair and lawful compensation, as illegal, arbitrary, unconstitutional and violative of Article 300-A of the Constitution of India and consequently direct the respondent No.2 – District Collector and respondent No.5 to consider and dispose of the petitioner's representation by fixing and paying amount of compensation in accordance with law and pass such other order as are necessary in the facts and circumstances of the case.

2. The case of the petitioner is briefly as follows:

a. The petitioner is the absolute owner and possessor of the above mentioned plots. The petitioner got his land converted into residential plots. So, they have high market value and saleability. The respondent No.3 issued a notice, dated 16.12.2025 purportedly under Sections 68 and 164 of the Electricity Act, 2003, (in short 'the Act, 2003') in respect of the proposed erection of 765 KV D/C transmission line and power poles through the petitioner's land. Without obtaining the consent from the petitioner and without determining lawful amount of compensation, the respondents unlawfully entered into the petitioner's land and commenced the construction activity. Their action is illegal. The respondents orally stated that they would pay only 30% of the value of the land as compensation. The petitioner rejected the proposal as the site has high value due to conversion into residential house plots and not an agricultural land. The Act, 2003 and the Indian Telegraph Act,

1885 (in short 'the Act, 1885') do not prescribe a specific multiplier for determination of compensation. The amount of compensation payable for erection of extra high-tension transmission lines in private lands is required to be determined by applying the principles of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. In rural areas, the application of the said principles, including market value and statutory solatium, effectively works out to not less than three times the value as per the guidelines. Therefore, offer to pay 30% of the value of the land is very meagre and is therefore, arbitrary and illegal. When high tension transmission lines run across the residential plots, its value gets diminished permanently though the owner of the land is not physically dispossessed and therefore, such action of the respondents amounts to unreasonable deprivation of the right of the petitioner for higher amount of compensation.

b. The petitioner submitted a representation, dated 04.02.2026, to the respondent No.2 / District Collector, Nandyal district, bringing to his notice the illegal and arbitrary action of the respondents and requesting him to immediately stop erection of the power poles and transmission lines in the property of the petitioner and ensure payment of just, fair and lawful amount of compensation. However, the representation has not been considered or disposed of till date. But, the respondents are proceeding with the construction activity with undue haste compelling the petitioner to approach this Court by filing this writ petition.

3. The learned Assistant Government Pleader for Revenue placed on record a copy of the written instructions of the District Collector, Nandyal, vide REV02/44/2026-B5(EST)-COLLNDL, dated 08.02.2026, and contended that the petitioner had already been paid due amount of

compensation, but suppressing the same, this writ petition was filed. In this regard, relevant instructions are noted as follows:

“ORDER:

In the reference 1st read above, the Power Grid Corporation of India Limited has represented that the stringing works of the 765 KV D/C Kurnool-III PS to Maheshwaram Transmission Line (TW02) are being obstructed due to Right of Way (RoW) issues in Nandipadu village, Kolimigundla Mandal, between Tower Locations AP3/0 and AP4/0. The details of the affected landowners are as follows:

S. No.	Land owner Name	Survey Nos.	Village & Mandal	Area under the corridor as informed by landowners
1	Angeri Chinna Surya Nageswara Reddy S/o A.Jaya Rami Reddy	506-1, 507-1, 507-2, 507-3, 507-4	Nandipadu village, Kolimigundla Mandal	30 cents
2	Angeri Pedda Surya Nageswara Reddy S/o A.Jaya Rami Reddy	519-A1, 519-B1	Nandipadu Village, Kolimigundla Mandal	40 cents

The affected landowners have claimed compensation towards diminution of land value for the lands falling under the transmission line corridor.

Accordingly, the Revenue Divisional Officer, Banaganapalle, has submitted the diminution of land value report as per the prevailing norms as follows:

S. No.	Sy. No.	Extent	Nature & Land Classification	Land owner Name	Applicable rate of Diminution
1	506-1, 507-1, 507-2, 507-3, 507-4	30 cents	G.D- Patta Land	Angeri Chinna Suryanageswara Reddy, S/o A.Jayarami Reddy	Rs.4,35,600/-
2	519-A1, 519-B1	40 cents	G.D- Patta Land	Angeri Chinna Suryanageswara Reddy, S/o A.Jayarami Reddy	Rs.5,80,800/-

1. Angeri Chinna Suryanageswara Reddy:

30 cents X Rs.48,400/- = Rs.14,52,000/-

30% Market Value = Rs.4,35,600/-

2. Angeri Pedda Suryanageswara Reddy:

40 cents X Rs.48,400/- = Rs.19,36,000/-

30% Market Value = Rs.5,80,000/-

As per G.O.Rt.No.121, Energy (Power-II) Department, dated 10.12.2025, and the guidelines of the Ministry of Power vide F.No.3/4/2016-Trans-Part (4), dated 14.06.2024, compensation towards Right of Way corridor is payable at 30% of the land value."

4. She further submitted that if the petitioner is not satisfied with the compensation paid, law permits the petitioner to seek higher amount of compensation before the appropriate authority and that the writ petition is not maintainable nor can the work of laying electrical lines be interrupted.

5. Sri Challa Dhananjaya, learned Assistant Solicitor General placed on record a copy of the written instructions on the same lines noted above. It is further stated that in the meeting, dated 07.02.2026, chaired by Joint Collector, Nandyal, only Shri Angeri Pedda Suryanageswara

Reddy attended and the rates of compensation payable had been informed to him and he had agreed to the same. But the petitioner, without attending the meeting and when contacted over phone, categorically refused the above compensation rates and filed this writ petition. The relevant portion of the written instructions is excerpted hereunder:-

“In the meeting dated 07.02.2026, chaired by the Joint Collector, Nandyal, only Shri Angeri Pedda Suryanagewara Reddy attended. The above-mentioned rates were explained to him, and he agreed to the same.

However, the other landowner, Shri Angeri Chinna Suryanagewara Reddy, did not attend the meeting. When he was contacted over phone and informed about the above compensation rates, he categorically refused to agree and stated that he would stop the work if it was commenced.

Based on JC/Nandyal meeting held on 03.02.2026 and 07.02.2026, Vide letter Ref.No.REV02/44/2026-B5 (EST)-COLLNDL, dated 08-02-2026, DC/Nandyal issued compensation order towards diminution for above referred landowners.”

6. He further submitted that as per Section 16 (3) of the Act, 1885, if any dispute arises concerning the sufficiency of the compensation to be paid under Section 10(d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situated, be determined by him and therefore, the writ petition does not lie.

7. The learned counsel for the petitioner submitted that the proceedings fixing the payment of compensation by the Collector and District Magistrate, Nandyal, on 08.02.2026 was issued in a hurried

manner without providing an opportunity of hearing to the petitioner and that the amount of compensation is inadequate and disproportionate to its value. She further submitted that the proceeding is said to be issued a day before filing of the writ petition and therefore, not knowing about the proceeding, the petitioner filed the writ petition and that unless adequate amount of compensation is paid, the respondents cannot proceed with the work.

8. On the other hand, the learned Assistant Government Pleader for Revenue and also the learned counsels representing the other respondents contended that the remedy available to the petitioner is to approach the District Court concerned as per Section 16 (3) of the Act, 1885, if not satisfied with the amount of compensation awarded by the District Collector, but the writ petition does not lie. It is further submitted that the District Collector gave adequate opportunity to the petitioner to attend for hearing, but the petitioner failed to appear, whereas the other person by name Angeri Pedda Surya Nageswara Reddy, attended and agreed for the amount of compensation fixed as per the norms. It is also submitted that as per G.O.Rt.No.121, Energy (Power-II) Department, dated 10.12.2025 and the guidelines of the Ministry of Power vide F.No.3/4/2016-Trans-Part (4), dated 14.06.2024, the compensation towards right of way corridor is payable at 30% of the land value and thus, the amount payable to the petitioner was determined at Rs.4,35,600/- out of 30% of total value i.e., Rs.14,52,000/- of the land after calculating Rs.48,400/- per cent multiplied with 30 cents land of the petitioner.

9. It is further submitted that even if the petitioner is aggrieved, still the petitioner can approach the appropriate authority under Section 16(3) of the Act, 1885 and cannot prevent the work of the respondents.

In this regard, it is further submitted that as per Section 164 of the Act, 2003 a notification was issued way back in the year 2023 to raise any objections for aligning lines and the petitioner ought to have raised any objection, if there is any, before the notification became final and now cannot have any objection to alignment of the electric lines.

10. In reply, the learned counsel for the petitioner submitted that the grievance of the petitioner is not for the alignment of the lines, but only with regard to the fair amount of compensation.

11. In view of the contentions on both sides, it is evident that the petitioner has grievance for payment of adequate amount of compensation, before laying the electric lines over the property of the petitioner. Since the provisions of law as per Section 16(3) of the Act, 1885 provides a remedy to the dissatisfied claimant to challenge the award of the District Collector fixing the amount of compensation, the writ petitioner has to avail such remedy. For that purpose, the work in progress cannot be stopped.

12. As such, the writ petition is disposed of giving liberty to the petitioner to approach the appropriate authority as per law to challenge the proceeding of the Collector and District Magistrate, Nandyal issued vide REV02/44/2026-B5(EST)-COLLNDL, dated 08.02.2026, if so advised. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE B.S. BHANUMATHI

Dated: 12.02.2026
RAR/ NSM

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The Honourable Ms. Justice B.S.Bhanumathi

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