

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

**THURSDAY, THE TWENTY SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

WRIT PETITION NO: 18496 OF 2015

Between:

Dr. Smt. Challareddy Krishnavema, W/o. T. Bheem Reddy, aged about 55 years,
Occ ; Private Service, R/o. H.No. 3-5-20, 2nd Floor, Ramkoti, Hyderabad.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, Hyderabad.
2. The Collector & District Magistrate, Mahabubnagar District, Mahabubnagar.
3. The Special Deputy Collector, (LA), Bheema Project, Office at Pebbair, Mahabubnagar District 509104.
4. The Tahsildar, Kothakota Mandal, Mahabubnagar District.
5. Ravula Narendranath Reddy, S/o. Late Kista Reddy, aged about 62 years, Occ Retd. Service, R/o. Kannaipally Village, Kothakota Mandal, Mahabubnagar 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 an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not rectifying the mistake crept in the notification dated 10-01-2013 to include the name of the petitioner as owner and pattadar to an extent of Ac. 1-05 guntas in Sy. No. 422, situated at Kannaipally Village, Kothakota Mandal, Mahabubnagar District which is the item No.3 of the notification and in not issuing any kind of notice to the petitioner so as to enable her to participate in the award enquiry in respect of the above land as illegal, unlawful and contrary to law and consequently direct the respondents 1 to

3 not to dispossess the petitioner from the possession of the above land unless, until the compensation is paid to the petitioner under the provisions of Act, 30 of 2013 i.e., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

I.A.NO:1 OF 2015 (WPMP.NO:23938 OF 2015)

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 grant interim order directing the respondents not to dispossess the petitioner from the possession and enjoyment of the land in Sy. No. 422, admeasuring Ac. 1-05 guntas at Kannaipally Village, Kothakota Mandal, Mahabubnagar District, without making the payment of the compensation as contemplated under the New Act, 30 of 2013, pending disposal of main writ petition.

Counsel for the Petitioner : SRI M.DAMODAR REDDY

Counsel for the Respondent Nos.1 to 4 : M/s K.RADHA REDDY, AGP FOR LAND ACQUISITION

Counsel for the Respondent No.5 : -

The Court made the following ORDER

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

THE HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

WRIT PETITION No.18496 OF 2015

DATED: 26.02.2026

Between:

Dr. Challareddy Krishnavema.

... Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Revenue (Land Acquisition) Department,
Secretariat, Hyderabad and 4 Others.

... Respondents

:: O R D E R ::

This Writ Petition is filed under Article 226 of Constitution of India seeking the following relief/s:-

“...to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not rectifying the mistake crept in the notification dated 10-01-2013 to include the name of the petitioner as owner and pattadar to an extent of Ac. 1-05 guntas in Sy. No. 422, situated at Kannaipally Village, Kothakota Mandal, Mahabubnagar District which is the item No.3 of the notification and in not issuing any kind of notice to the petitioner so as to enable her to participate in the award enquiry in respect of the above land as illegal, unlawful and contrary to law and consequently direct the respondents 1 to 3 not to dispossess the petitioner from the possession of the above land unless, until the compensation is paid to the petitioner under the provisions of Act, 30 of 2013 i.e., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013...”

2. Heard Sri M Damodar Reddy, learned Standing counsel for the petitioner and Mr. Katta Radha Reddy, learned Assistant Government Pleader for Land Acquisition appearing for respondent Nos.1 to 4.

I. **FACTS**

3. The petitioner claims to be the absolute owner and possessor of wet land admeasuring Ac.1-10 guntas in Survey No. 422, situated at Kannaipally Village, Kothakota Mandal, Mahabubnagar District (now Wanaparthy District). The said property was purchased by her from the 5th respondent under a registered Sale Deed bearing Document No. 293/2010 dated 12.10.2010. Pursuant thereto, mutation was effected in her favour, and her name came to be reflected in the revenue records as pattadar and possessor. A pattadar passbook and title deed were also issued in her favour vide Patta No. 0865. It is the case of the petitioner that the 3rd respondent issued a notification under Section 4(1) of the Land Acquisition Act, 1894, proposing acquisition of an extent of Ac.1-05 guntas out of the said land. However, in the said notification, the name of the 5th respondent was shown as pattadar instead of the petitioner, despite the mutation already having been effected in her favour.

4. On noticing the said discrepancy, the petitioner submitted a representation dated 15.02.2013 to the 3rd respondent, enclosing

relevant title documents, including the pattadar passbook, seeking rectification of the notification and inclusion of her name. It is further stated that though higher authorities issued directions to examine the issue and take corrective steps, no effective action ensued, and the error continued in the acquisition proceedings.

5. Aggrieved by such inaction and apprehending dispossession without due compensation, the petitioner has approached this Court seeking appropriate relief.

II. SUBMISSIONS:

A. Submissions on behalf of the Petitioner:-

6. Learned counsel for the petitioner contends that the petitioner, being the lawful owner and pattadar by virtue of a registered sale deed and mutation in revenue records, ought to have been treated as a "person interested" in the acquisition proceedings. It is submitted that the failure of the respondents to reflect her name in the notification and to issue notice to her for participation in the award enquiry amounts to violation of principles of natural justice.

7. It is further contended that despite submission of representations along with documentary proof and despite administrative directions issued by superior authorities to rectify the error, the respondents failed to take corrective action.

Consequently, the petitioner was deprived of an opportunity to participate in the award enquiry and to claim compensation. Accordingly, it is submitted that there being merit in the case, the writ petition deserves to be allowed with the relief as prayed for.

B. Submissions on behalf of the Respondents:-

8. Per contra, the learned Assistant Government Pleader for Land Acquisition, on instructions, submits that an award enquiry in respect of Survey No. 422 was conducted on 04.03.2013; however, the pattadar did not attend the enquiry. It is further submitted that the dispute relating to compensation has been referred to the competent civil Court under Sections 30 and 31 of the Land Acquisition Act, 1894, and the compensation amount has been deposited.

9. It is also submitted that the said reference has been registered as O.P. No. 80 of 2015 on the file of the learned Senior Civil Judge, Wanaparthi, and the same is presently pending adjudication. However, the petitioner has approached this court without availing alternative efficacious remedy and therefore, prayed to dismiss the writ petition.

III. POINT FOR DETERMINATION

10. In the light of the pleadings and submissions made, the following point arises for determination:

Whether the omission of the petitioner's name in the land acquisition notification and consequential proceedings, despite her claim of ownership and mutation in revenue records, warrants interference under Article 226 of the Constitution of India, or whether the petitioner ought to be relegated to the remedy available under Sections 30 and 31 of the Land Acquisition Act, 1894?

IV. ANALYSIS AND CONSIDERATION:

11. The grievance of the petitioner is essentially two-fold. While she asserts a substantive right of ownership based on a registered sale deed and mutation entries, her principal grievance pertains to her exclusion from the land acquisition proceedings, particularly on account of non-reflection of her name in the notification issued under Section 4(1) of the Act.

12. The material on record prima facie indicates that despite the petitioner's name having been entered in the revenue records, the respondents proceeded with the acquisition by continuing the name of the erstwhile owner. The petitioner had submitted representations along with documentary proof seeking correction of the error. Even administrative directions appear to have been issued for rectification; however, no effective steps were taken.

13. Such omission, in the considered view of this Court, constitutes a procedural lapse, as it deprives the petitioner of an

opportunity to participate in the award enquiry. Compliance with principles of natural justice, including issuance of notice to persons interested, is an integral component of the acquisition process.

14. However, it is not in dispute that the issue relating to entitlement to compensation has already been referred to the competent civil Court under Sections 30 and 31 of the Land Acquisition Act, 1894, and the said reference, registered as O.P. No. 80 of 2015, is presently pending.

15. The scope of such reference proceedings is sufficiently wide to encompass disputes relating to entitlement, title, and apportionment of compensation among rival claimants. The reference Court is competent to adjudicate such issues on the basis of evidence.

16. In the present case, the core controversy essentially pertains to the petitioner's claim to be recognized as the rightful pattadar and, consequently, as a person entitled to compensation. Such issues involve disputed questions of fact, which cannot be conclusively adjudicated in exercise of jurisdiction under Article 226 of the Constitution of India.

17. While the lapse on the part of the respondents in not incorporating the petitioner's name in the acquisition proceedings

cannot be overlooked, the existence of an efficacious statutory remedy, already invoked and pending, persuades this Court to decline interference at this stage.

V. FINDINGS

18. This Court accordingly holds:-

(i) That the omission of the petitioner's name in the land acquisition proceedings constitutes a procedural irregularity;

(ii) That the dispute raised substantially relates to entitlement to compensation and recognition as an interested person, which falls within the scope of Sections 30 and 31 of the Land Acquisition Act, 1894;

(iii) That in the presence of such an efficacious statutory remedy, exercise of jurisdiction under Article 226 of the Constitution of India is not warranted.

VI. DIRECTIONS

19. In view of the above, the writ petition is disposed of with the following directions:

(a) The petitioner is granted liberty to file appropriate application(s) to implead herself as an interested party in O.P. No. 80 of 2015 pending on the file of the learned Senior Civil Judge, Wanaparthy;

(b) Upon such impleadment, the Reference Court shall consider the claim of the petitioner independently, on its own merits and in accordance with law;

(c) The reference Court shall not be influenced by the omission of the petitioner's name in the acquisition proceedings while adjudicating her entitlement;

(d) All questions relating to title, entitlement, and apportionment of compensation are left open to be decided by the reference Court.

VII. RESULT

20. Accordingly, in view of the foregoing discussion and having regard to the observations made hereinabove, the Writ Petition is disposed of in terms of the above observations and directions. In the circumstances of the case, there shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Sd/-A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

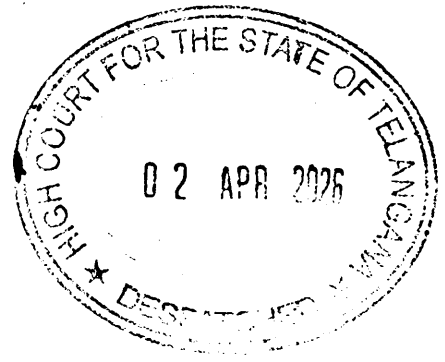
1. The Principal Secretary, Revenue (Land Acquisition) Department, Secretariat, State of Telangana at Hyderabad.
2. The Collector & District Magistrate, Mahabubnagar District, Mahabubnagar.
3. The Special Deputy Collector, (LA), Bheema Project, Office at Pebbair, Mahabubnagar District 509104.
4. The Tahsildar, Kothakota Mandal, Mahabubnagar District.
5. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI M.DAMODAR REDDY, Advocate [OPUC]
7. Two CD Copies

SA/PMK

AP

HIGH COURT

DATED:26/02/2026



ORDER

WP.No.18496 of 2015

**DISPOSING OF THE W.P
WITHOUT COSTS.**

(10) MT
2/4/26