



HON'BLE SRI JUSTICE NOUSHAD ALI

W.P.No.23863 of 2005

ORDER :

1) Petitioner, who claims to be the owner of land admeasuring Acs.12.10 guntas situated in Sy.Nos.96 and 97 of Ujjalli Village, Magnoor Mandal, Mahaboobnagar District under a Will said to have been executed by his father late Kishan Rao, who in turn was bequeathed with the said property by his mother late Laxmi Bai, filed this Writ Petition for issuance of direction to the Special Deputy Collector, Land Acquisition Officer, Unit-1, the 1st Respondent herein, for referring the matter under Section 30 of the Land Acquisition Act.

2) The aforesaid land was acquired under the provisions of the Land Acquisition Act. Chinna Kistaiah, the 2nd Respondent herein, whose name was reflected in the revenue records, was notified in the successive proceedings issued under the Act. The petitioner submitted his objections during the enquiry under Section 5-A and claimed compensation by setting up his rights as the owner of the land under the aforesaid Will. The 1st Respondent-Land Acquisition Officer overruled the objections and passed an Award on 22-10-2005 in favour of the 2nd Respondent herein. Admittedly, the



compensation was paid to the 2nd Respondent. The petitioner, though aggrieved by the Award, has not challenged the same in this Writ Petition, instead he has challenged the Notice, dated 26-10-2005, wherein he was informed that his Objection Petition was rejected under the Award. Hence, unless the petitioner establishes his right and title over the acquired land, he is not entitled to receive the compensation amount.

3) In the circumstances, Sri S.A.K.S.Reddeiah, learned counsel representing Sri B.Venkat Rama Rao, seeks permission of the Court to institute a regular suit to establish his right and title instead of pursuing this Writ Petition. In view of the aforesaid submission, granting the said permission, this Writ Petition is dismissed as not pressed. No costs.

NOUSHAD ALI, J.

16th July, 2012

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2012:TSHC:28943



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HON'BLE SRI JUSTICE NOUSHAD ALI

W.P.No.23863 of 2005

Date : 16-07-2012

Between :

Venkat Rao
Petitioner

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and

Special Deputy Collector,
Land Acquisition Unit-1,
Bheema Project, Makthal,
Mahaboobnagar District & another
Respondents

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