

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE FOURTEENTH DAY OF JUNE

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SRI JUSTICE K. SARATH****WRIT PETITION NO: 10431 OF 2024****Between:**

1. Bommakanti Raja Komuraiah, S/o. Kommaraiah
2. Bodukanti Surendar, S/o. Cheralu,
3. Valugula Prabhakar, S/o. Venkatarajam.
4. Gudikandula Ramesh, S/o. Narsaiah.
5. Gattu Swamy, S/o. Chamdramouli.
6. Burugula Srinivas,, S/o. Gopal rao.
7. B.Sandya, W/o. Rajkumar.
8. P.Sudhakar,, S/o. Narsaiah.
9. Bongu Srinivas, S/o. Chandramouli.
10. Rayarakula Sunitha, W/o. Veeraiah.
11. Rayarakula Veeraswamy, S/o. Yellaiah.

...Petitioners**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (JA and LA) Department, Dr. B.R. Ambedkar Secretariat buildings, Hyderabad.
2. District Collector, Hanumakonda District, Hanumakonda, Telangana State.
3. Revenue Divisional Officer, cum Competent Authority for Land Acquisition, Parkala Division, Parkala, Hanumakonda District.
4. Mandal Tahsildar, Shayampet mandal, Shayampet, Hanumakonda District.
5. Union of India, Rep by its Secretary Ministry of Road, Transport and Highways New Delhi.
6. The National Highway Authority of India, Rep. by its, Regional Officer, Banjara Hills, Road No.3, Beside SBH Staff College, Hyderabad.
7. The Project Director, National Highways Authority of India, PIU, Warangal, Warangal District.

(C.T. Respondent No.7 is amended as per Court Order Dated: 14.06.2024 in I.A.No.2 of 2024).

...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, Order, or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent authorities, particularly respondent No.3 in (a) issuing public notices under section 3-G of NH Act 1956 for the lands of the petitioners in Gatlakanaparthi village, Shayampet mandal, Hanumakonda District in violation of provisions of NH Act 1956 read with Removal of

Difficulties order dt.28/08/2015, (b) in causing publication of Section 3-D notification dt.08/03/2022 without disposing the objections of the petitioners as required under the law and based on an invalid and incorrect report and (d) the action of the respondents 03 and 05 in making multiple notifications u/s 3A with incorrect and incomplete information, for acquisition of subject lands of the petitioners along with other land owners of Gatlakanaparthi village, Damara mandal as illegal, unconstitutional, against the principles of natural justice and the principles laid down by Honorable Apex court and consequently set aside 3A notification vide No.1102 dt.10/03/2021 and No.1905 dt.21/04/2022 and 3-D notifications vide No.1017 dt.08/03/2021 and No.3526 dt.29.07.2022 (c) public notice under section 3-G vide No.B/85/2019 dt.04.02.2023 and unnumbered notice dt.13.01.2024 for acquisition of subject lands of the petitioners in Gatlakanaparthi village, Shayampet mandal of Hanumakonda District(erstwhile Warangal Rural) for the proposed NH-163 G on the stretch of land from Km. 88.418 to Km.111.762 (Parkal).

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay on all further steps consequent to impugned 3-G public notices vide No.B/85/2021 dt.04/02/2023 and vide unnumbered notice dt.13.01.2024 regarding four-laning of proposed stretch of NH -163G from 88+419 to 112+240 (Parkal), including interference with the possession and enjoyment of the petitioners of their subject lands in Gatlakanaparthi village, Shayampet mandal, Hanumakonda district, in any manner, pending disposal of WP.No.10431 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 03.05.2024 made herein and upon hearing the arguments of M/s. CH. RAVI KUMAR Advocate for the Petitioners, Assistant GP FOR LAND ACQUISITION for the Respondent Nos.1 to 4, SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate for the Respondent No.5, SRI. K. PADMA RAO Advocate for the Respondent No.6 and SRI. DHANANJAYA NAIDU KOLLA Advocate for the Respondent No.7, the Court made the following.

ORDER:

Learned Assistant Government Pleader for Land Acquisition and learned Standing Counsel for N.H.A.I appearing for the respondents seeks time to file counter.

Post after two (02) weeks.

List on 28.06.2024.

Interim order granted on 03.05.2024 shall stand extended till then.

//TRUE COPY//

SD/ N. SRIHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to M/s. CH. RAVI KUMAR, Advocate [OPUC]. ✓
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]. ✓
3. One spare copy ✓

HIGH COURT

SKJ

DATED:14/06/2024

LIST ON 28.06.2024

ORDER

WP.No.10431 of 2024

INTERIM ORDER EXTENDED

