

(SHOW CAUSE NOTICE BEFORE ADMISSION)

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRD DAY OF MAY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 10718 OF 2024

Between:

1. Pendli Janardhan, S/o. Linagaiah.
2. G.Komuraiah, S/o. Ramaiah.
3. Gaddam Ramesh, S/o. Sambaiah.
4. Pendli Lingaiah, S/o. Rajaiah.
5. MD Sukuruddin,, S/o. Meerasahab.
6. Aili Venu,, S/o. Komaraiah.
7. Aili Sharath Babu, S/o. Illaiah.
8. Pujiri Sushmitha, W/o. Surendar.
9. Nellela Sateesh, S/o. Sanjeevaiah.
10. Ravindar Reddy, S/o. Rajireddy.
11. Manda Sandhya Rani, W/o. Srinivas.
12. Ganta Sammireddy,, S/o. Rajireddy.
13. Bojjam Raghupathi,, S/o. Ananadam.

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, Khammam, Khammam District

Respondents

WHEREAS the Petitioner above named through their Advocate Sri CH RAVI KUMAR presented this 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.03 in (a) issuing public notices under section 3-G of NH Act 1956 for the lands of the petitioners in Pocahram, Vellampally, Madharam and

Mallakpet revenue villages of Parkal mandal, Hanumakonda District in violation of provisions of NH Act 1956 read with RFCTLARR 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 No.3 and 5 in making multiple notifications u/s 3A with incorrect and incomplete information/description, for acquisition of subject lands of the petitioners along with other land owners of Oorugonda village, Damera mandal as illegal, unconstitutional, against the principles of natural justice and the principles laid down by Honorable Apex court and consequently set aside 3A notifications vide S.O.No.1102 dt.10/03/2021 and S.O.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 notices dt.13.01.2024 for acquisition of subject lands of the petitioners in Pocahram, Vellampally, Madharam and Mallakpet revenue villages of Parkal mandal, Hanumakonda District for the proposed NH-163G on the stretch of land from Km. 88.418 to Km.111.762 (Parkal) in the District of Hanumakonda (erstwhile Warangal rural).

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri CH RAVI KUMAR Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue (JA and LA) Department, State of Telangana, 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. The Secretary, Union of India, Ministry of Road, Transport and Highways, New Delhi
6. The Regional Officer, National Highway Authority of India, Banjara Hills, Road No.3, Beside SBH Staff College, Hyderabad
7. The Project Director, National Highways Authority of India, PIU, Khammam, Khammam District

are directed to show cause on or before 14.06.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2024

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 stay on all further steps consequent to impugned 3G public notices vide No.B/85/2021 dt.04.02.2023 and unnumbered notices 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 Pocahram, Vellampally, Madharam and Mallakpet revenue villages

of Parkal mandal, Hanumakonda district, in any manner, pending disposal of WP No. 10718 of 2024, on the file of the High Court.

IA NO: 2 OF 2024

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 allow amendments in the cause title of W.P.No.10718 of 2024 and pending interlocutory applications, by way of replacing the description of 07th respondent to 'The Project Director, National Highways Authority of India, PIU, Warangal, Warangal District', pending disposal of WP No. 10718 of 2024, on the file of the High Court.

The Court made the following: ORDER

Heard the learned Counsel for the for the petitioners and the learned Standing Counsel for the respondents.

Notice Before Admission.

Post on 14.06.2024.

Till then, the respondents are directed not to dispossess the petitioners from the subject property, however, other proceedings may go on.

**SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue (JA and LA) Department, State of Telangana, 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. The Secretary, Union of India, Ministry of Road, Transport and Highways, New Delhi
6. The Regional Officer, National Highway Authority of India, Banjara Hills, Road No.3, Beside SBH Staff College, Hyderabad
7. The Project Director, National Highways Authority of India, PIU, Khammam, Khammam District
(for addresses 1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to SRI. CH RAVI KUMAR Advocate [OPUC]
9. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

SKJ

DATED:03/05/2024

Post on 14.06.2024.

NOTICE BEFORE ADMISSION

WP.No.10718 of 2024

DIRECTION

