

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWELFTH DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NOS: 6131, 6320, 6816, 9909, 10431, 10718 AND 14340 OF 2024

W.P.No.6131 of 2024

Between:

1. Erukala Rajitha, W/o.Ramesh.
2. Pendli Praveen, S/o.Mallareddy.
3. Pendli Mallareddy, S/o. Kommaraiiah.
4. Pendli Srivani, W/o. Mallareddy.
5. Pendli Rajamani, W/o. Kumaraswamy.
6. Salla Sambaiah, S/o. Kommaraiiah.
7. Pendli Sunitha, S/o. Maipal.
8. Sinda Rajeshwar Rao, S/o. Ramaiah.
9. Pendli Mallareddy, S/o. Illaiah.
10. Salla Ravi, S/o. Kommaraiiah.

...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, Warangal District, Warangal, Telangana State
3. Revenue Divisional Officer cum Competent Authority for Land Acquisition, Warangal Division, Warangal, Warangal District
4. Mandal Tahsildar, Geesukonda mandal, Geesukonda, Warangal 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.

(C.T. Respondent Nos.5 and 7 are amended as per Court Order Dated: 14.06.2024 in I.A.No.3 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 notice and proceeding to determine compensation under section 3-G of NH Act 1956 for the subject lands of the petitioners in Ookal, Machapur and Geesukonda revenue villages of Geesukonda mandal, Warangal 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 notifications dt.27.05.2022 and dt.28.02.2023 without disposing the objections of the petitioners as required under the law and based on an invalid and incorrect report and (c) the action of the respondent No.05 in making multiple 3-A notifications with incomplete information and explanation. for acquisition of subject lands of the petitioners along with other land owners as illegal, unconstitutional, against the principles of natural justice and consequently set aside (a) 3-A notifications issued vide No.2170(E) dt.27.06.2019, No.2067(E) dt.28.05.2021 and No.3451(E) dt.27.07.2022, (b) 3D notifications vide No.2419(E) dt.27.05.2022, No.923(E) dt.28.02.2023 and subsequent public notice under section 3-G vide No.B/85/2019 dt.18.03.2023, while directing the authorities to strictly adhere to the principles of natural justice and fair play, provisions of RFCTLARR Removal of difficulties order, 2015 as well as the law laid down by Honorable Supreme Court for acquisition and determination of compensation and rehabilitation and resettlement entitlements for the lands of the petitioners in Ookal, Machapur and Geesukonda of Warangal District for the proposed stretch of Km.117.100-140.100 to Km.140.300-142.400 Warangal to Khammam Green field High way.

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 suspend the impugned 3-D notifications vide No.2419(E) dt.27.05.2022, No.923(E) dt.28.02.2023 issued for acquisition of subject lands of the petitioners in Ookal, Machapur and Geesukonda revenue villages in Geesukonda mandal, Warangal district, pending disposal of WP.No.6131 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 writ petition, the High Court may be pleased to grant stay on all further steps consequent to impugned 3-G public notice vide No.B/85/2019 dt.18.03.2023 and personal notices dt.25.03.2023 regarding four-laning of proposed stretch of Km.117.100-140.100 to Km.140.300-142.400 Warangal to Khammam Green field High way, including interference with the possession and enjoyment of the petitioners of their subject lands in any manner, pending disposal of WP.No.6131 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, 14.06.2024 and 28.06.2024 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,

W.P.No.6320 of 2024

Between:

1. Noora Shankaraiah, S/o. Yakaiah
2. Undila Ramesh, S/o. Bakkaiah
3. Velpula Kumara Swamy, S/o. Cherala
4. Kuppala Rajendar, S/o. Devendar
5. Kuppala Mahesh, S/o. Devendar
6. Odela Ashok, S/o. Muthulingam
7. Poshala Rajendar, S/o. Chandraiah
8. Rotte Praveen, S/o. Venkateshwarlu
9. Rotte Manoj, S/o. Venkateshwarlu
10. Odela Ramesh, S/o. Veeraswamy
11. Undila Padma, W/o. Ramesh
12. Velpula Kattaiah, S/o. Mallaiah
13. Velpula Raju, S/o. Illaiah
14. Danam Yadaiah, S/o. Veeramallu
15. Danam Ashok, S/o. Veerlingam
16. Noora Sampath Kumar, S/o. Lingaiah
17. Noora Srinivas, S/o. Shankaraiah
18. Danam Suresh Kumar, S/o. Veerlingam
19. Noora Srinivasulu, S/o. Veeraiah
20. Noora Saritha, W/o. Venkateshwarlu

...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, Warangal District, Warangal, Telangana State
3. Revenue Divisional Officer cum Competent Authority, for Land Acquisition, Warangal Division, Warangal, Warangal District

4. Mandal Tahsildar, Sangem mandal, Sangem, Warangal District
5. Union of India, Rep by it's 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 Nos.5 and 7 are amended as per Court Order Dated: 14.06.2024 in I.A.No.3 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 notices under section 3-G of NH Act 1956 and allegedly determining compensation for the subject lands of the petitioners in Thimmapur and Sangem revenue villages of Sangem mandal, Warangal 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 notifications dt.27.05.2022 and dt.28.02.2023 without giving reasonable opportunity and without disposing the objections of the petitioners as required under the law and based on an invalid and incorrect report, (c) in issuing notices dt.17.02.2024 directing to hand over the possession within 60 days without determining R and R entitlements as required under the law and (d) the action of the respondent No.05 in making multiple 3-A notifications with incorrect and incomplete information and issuing 3 D notifications based on incorrect and invalid reports, for acquisition of subject lands of the petitioners along with other land owners of Thimmapur and Sangem villages as illegal, unconstitutional, against the principles of natural justice and the principles laid down by Hon'ble Apex court and consequently set aside (a) 3-A notifications issued vide No.2170(E) dt.27.06.2019, No.2067(E) dt.28.05.2021 and No.3451(E) dt.27.07.2022, (b) 3-D notifications vide No.2419(E) dt.27.05.2022, No.923(E) dt.28.02.2023, (c) public notice under section 3-G vide No.B/85/2019 dt.18.03.2023, (d) alleged award proceedings dt.19.08.2023, 21.08.2023 and 26.08.2023 and (e) subsequent notices vide No.Rc.B/340/2021-1 and 2 dt.17.02.2024 for taking possession, of the subject lands of the petitioners in Thimmapur and Sangem villages of Warangal District for the proposed stretch of Km.117.100-140.100 to Km.140.300-142.400 Warangal to Khammam Green field High way.

IA NO: 2 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 notice vide No.B/85/2019 dt.18.03.2023 and notices dt.17.02.2024 regarding four-laning of proposed stretch of Km.117.100-140.100 to Km.140.300- 142.400 Warangal to Khammam Green field High way, including interference with the possession and enjoyment of the petitioners of their subject lands in any manner, pending disposal of WP.No.6320 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, 14.06.2024 and 28.06.2024 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,

W.P.No.6816 of 2024

Between:

1. N. Vinay Kumar, S/o. Devendar,
2. B. Devendar, S/o. Iallamna
3. N. Jayapal, S/o. Cherala,
4. K. Parmesh, S/o. Narsingam,
5. Masani Yellaiah, S/o. Bachaiah,
6. Bukka Nirmala, W/o. Bhaskar,
7. Lakkarsu Sambaiah, S/o. Rajaiah,
8. Shaik Ajith Pasha, S/o. Madaar pasha,
9. K. Raju Kumar, S/o. Ramulu
10. K. Maniamma, W/o. Devendar,
11. D. Raju, S/o. Shakeraiyah,
12. Thota Kumaraswamy, S/o. Muttaiah,
13. B. Hyma, W/o. Devendar,
14. Gaddam Lingamurthy, S/o. Suraiah,
15. K. Kumara Swamy, S/o. Dudaiah
16. M. Bhaskar, S/o. Madaar
17. Dammisetti Koti, S/o. Shekaraiah.

...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, Warangal District, Warangal, Telangana State
3. Revenue Divisional Officer cum Competent Authority for Land Acquisition, Warangal Division, Warangal, Warangal District
4. Mandal Tahsildar, Parvathagiri mandal, Parvathagiri, Warangal 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.

(C.T. Respondent Nos.5 and 7 are amended as per Court Order Dated: 14.06.2024 in I.A.No.3 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 notices under section 3G of NH Act 1956 for the subject lands of the petitioners in Enugallu revenue villages of Parvathagiri mandal, Warangal 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 3D notifications dt.27.05.2022 and dt.28.02.2023 without giving reasonable opportunity and without disposing the objections of the petitioners as required under the law and based on an invalid and incorrect report, and the action of the respondent No.05 in (c) making multiple 3A notifications with incorrect and incomplete information and issuing 3D notifications based on incorrect and invalid reports, for acquisition of subject lands of the petitioners of Enugallu village, Parvathagiri mandal as illegal, unconstitutional, against the principles of natural justice and the principles laid down by Hon ble Apex court and consequently set aside (a) 3A notifications issued vide No.2170(E) dt.27.06.2019, No.2067(E) dt.28.05.2021 and No.3451(E) dt.27.07.2022, (b) 3D notifications issued vide No.2419(E) dt.27.05.2022, No.923(E) dt.28.02.2023, (c) public notice issued under section 3G vide No.B/85/2019 dt.18.03.2023 and personal notices dt.25.03.2023 for determination of compensation for the subject lands of the petitioners in Enugallu village, Parvathagiri mandal, Warangal District for the proposed stretch of Km.117.100- 140.100 to Km.140.300-142.400 Warangal to Khammam Green field High way.

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 suspend the impugned 3D notifications vide No.2419(E) dt.27.05.2022, No.923(E) dt.28.02.2023 issued for acquisition of subject lands of the petitioners in Enugallu revenue village in Parvathagiri mandal, Warangal district, pending disposal of WP.No.6816 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 writ petition, the High Court may be pleased to grant stay on all further steps consequent to impugned 3G public notice vide No.B/85/2019 dt.18.03.2023 and personal notices dt.25.03.2023 regarding four-laning of proposed stretch of Km.117.100-140.100 to Km.140.300-142.400 Warangal to Khammam Green field High way, including interference with the possession and enjoyment of the petitioners of their subject lands in any manner, pending disposal of WP.No.6816 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, 14.06.2024 and 28.06.2024 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,

W.P.No.9909 of 2024

Between:

1. Bollu Rajireddy, S/o. Venkatreddy
2. Bollu Satyanarayanareddy, Rep. by his father and GPA holder Bollu Saireddy, S/o. Ramreddy
3. Lakkidi Chennareddy, S/o. Ramreddy
4. Pendli Kommara Reddy, S/o. Ramreddy
5. Pendli Srinivas, S/o. Komraiah
6. Kavati Devendar, S/o. Kattaiah
7. Chelpuri Magesha, S/o. Sammaiah
8. Chelpuri Ashok, S/o. Komaraiah
9. Rudraram Ramadevi, W/o. Ramesh
10. Maddi Odelu, S/o Mallesh
11. Gondi Veenamma, W/o. Sammareddy
12. Chelpuri Laxmaiah, S/o. Narshaiah
13. Pendli Prabhakar, S/o. Mallaiah
14. Pendli Saroja, W/o. Veeraswamy
15. Muska Kalpana, W/o. Raju
16. Pendli Vimala, W/o. Ravi
17. Gondi Rajkoti, S/o. Ravindar Reddy
18. Odela Saraiah, S/o. Samaiah
19. Chelpuri Sambaiah, S/o. Mallaiah
20. M.D Medunisa Begum, W/o. Avrumahumood
21. Gondi Rajamma, W/o. Narshimha Reddy

...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.03 in (a) issuing public notices under section 3-G of NH Act 1956 for the lands of the petitioners in Oorugonda village, Damera 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 Hon'ble 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 notice dt.13.01.2024 for acquisition of subject lands of the petitioners in Oorugonda village, Damera mandal of 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).

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 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 Oorugonda village, Damera mandal, Hanumakonda district, in any manner pending disposal of WP.No.9909 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, 14.06.2024 and 28.06.2024 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,

W.P.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, 14.06.2024 and 28.06.2024 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,

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.

...Petitioner

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.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).

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 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.

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, 14.06.2024 and 28.06.2024 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,

W.P.No.14340 of 2024

Between:

1. Nerella Kamalakar, S/o. Mogulaiah.
2. Nerella Prabhakar Reddy, S/o. Hamsol Reddy.
3. Nanneboina Varadha Raju, S/o. Illaiah.
4. Konne Surendar, S/o. Jeevaiah.
5. Madasi Sambaiah, S/o. Narsaiah
6. N. Nagamani, W/o. Bhaskar reddy.

Petitioners

AND

1. Union of India, Rep by its Secretary, Ministry of Road, Transport and Highways, New Delhi.
2. The National Highway Authority of India, Rep. by its, Regional Officer, Banjara Hills, Road No. 3, Beside SBH Staff College, Hyderabad.
3. The Project Director, National Highways Authority of India, PIU, Khammam, Khammam District.
4. The State of Telangana, Rep. by its Principal Secretary, Revenue (JA and LA) Department, Dr. B. R. Ambedkar Secretariat buildings, Hyderabad.
5. District Collector, Warangal District, Warangal.
6. Revenue Divisional Officer cum Competent Authority for Land Acquisition, Warangal Division, Warangal, Warangal 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 a Writ, Order, or Direction more particularly in the nature of writ of mandamus, declaring the action of the respondent authorities in (a) publishing multiple 3A notifications for acquisition of petitioners lands for the same stretch of proposed green field high way in Bodduchintalapalle village, without there being delegation of the authority under section 3(a) of NH Act 1956 and without brief description of the land as required under section 3A(2) therein and (b) in proceeding to issue 3D notifications, public notice and award notices u/s 3G of Act 48 of 1956 based on the said invalid 3A notifications and proceeding to take possession of the subject lands of the petitioners, without considering and disposing the objections and without following procedures for determining and extending Compensation and Rehabilitation entitlements as per RFCTLARR Removal of Difficulties Order, 2015, as illegal, unconstitutional and consequently set aside 3A notifications vide No. 2067 dt. 28. 05. 2021 and No. 3451 dt. 27. 07. 2022, 3- D notifications vide No. 2419 dt. 27. 05. 2022 and No. 923 dt. 28. 02. 2023, public notice under section 3G vide No. B/230/2019 dt. 18. 03. 2023 and notices dt. 17. 02. 2024 issued under NH Act 1956, for acquisition of subject lands of the petitioners in Bodduchintalapally village, Geesukonda mandal of Warangal District for the proposed NH- 163 G on the stretch of land from Km. 117. 100- 140. 100 km to Km. 140. 300- 142. 400(Warangal-Khammam) section of Green Field alignment in the District of Warangal;

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 notices vide RC No. B/334/2021- 1 and RC No. B/334/2021- 2, dt. 17. 02. 2024 issued to the petitioners regarding four-laning of proposed stretch of NH- 163G from Km. 117. 100- 140. 100 km to Km. 140. 300- 142. 400 (Warangal - Khammam) section of Green Field alignment in the District of Warangal, including interference with the possession and enjoyment of the petitioners of their subject lands in Bodduchintalapally, Geesukonda mandal, Warangal district that are notified in 3A notifications dt. 28. 05. 2021 and dt. 27.07.2022, pending disposal of WP.No.14340 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: 14.06.2024 and 28.06.2024 made herein and upon hearing the arguments of M/s. CH. RAVI KUMAR Advocate for the Petitioners, SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate for the Respondent No.1, SRI. K. PADMA RAO Advocate for the Respondent Nos.2 and 3, Assistant GP FOR LAND ACQUISITION for the Respondent Nos.4 to 6, the Court made the following.

ORDER:

Learned Government Pleader for Land Acquisition for the respondents seeks time to file counter in all the matters.

Post after four (04) weeks.

List on 09.08.2024.

Till then, interim orders granted earlier on 03.05.2024 shall stand extended.

//TRUE COPY//

**SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

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

HIGH COURT

SKJ

DATED:12/07/2024

LIST ON 09.08.2024

ORDER



WRIT PETITION NOs: 6131, 6320, 6816, 9909, 10431, 10718 AND 14340 OF 2024

INTERIM ORDER EXTENDED