

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

**WEDNESDAY, THE FOURTH DAY OF JANUARY TWO THOUSAND AND  
TWENTY THREE**

**:PRESENT:  
THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR**

**WRIT PETITION NO: 35419 OF 2018**

**Between:**

1. Kondabathini Pushpalatha, W/o. late Ailayah,  
Age: 53 years, Occ: Coolie,  
H.No.3-9/11
2. Kasarla Rajitha, D/o. Ravula Mahender Reddy,  
Age: 30 years, Occ: Coolie,  
H.No.3-9/90
3. Malem Neelamma, D/o. Bheemaiah (late),  
Age:41 years, Occ: Coolie,  
H.No.3-9/30,
4. Gajula Padma, D/o. Akula Rayamallu,  
Age: 44 years, Occ: Coolie,  
H.No.3-9/15,
5. Seggam Gunnamma, D/o. Nannaiah,  
Age: 47 years, Occ: Coolie,  
H.No.3-6/29,
6. Katta Anitha, W/o. Jagannadam,  
Age: 33 years, Occ: Coolie,  
H.No.3-9/14,
7. Kondabathini Rajamani, D/o. Ilaiah,  
Age: 35 years, Occ: Coolie,  
H.No.3-9/13,
8. Jadala Laxmi, D/o. Late Ramaiah,  
Age: 50 years, Occ: Coolie,  
H.No.3-9/95,
9. Jakkula Thirupathi, S/o. Jakkula Srinivas,  
Age:33 years, Occ: Coolie,  
H.No.3-1/19,
10. Kaluva Rani, D/o. Late Rajam,  
Age: 44 years, Occ: Coolie,  
H.No.3-9/9X,
11. Katta Bhulaxmi, D/o. Late Sripada Venkataswamy,  
Age:46 years, Occ: Coolie,  
H.No.3-9/9T,
12. Chevula Laxmi, D/o. Late Thummala Rayamallu,  
Age: 47 years, Occ: Coolie,  
H.No.3-9/9B,

13. Shegyam Shivakumar, S/o. S. Bhoomaiah (Late)  
Age: 36 years, Occ: Coolie,  
H.No.3-6/17,
14. Keesara Anjaiah, S/o. Late Mondaiah,  
Age: 56 years, Occ: Coolie,  
H.No.3-9/43,
15. Polu Rajam, S/o. Late M. Mallaiah,  
Age: 81 years,  
H.No.3-9/9F,
16. Urukonda Laxmaiah, S/o. U. Ilaiah (late),  
Age not known, Occ: Coolie,  
H.No.3-9/15 (A),
17. Pogula Mondaiah,  
Age: not known, Occ: Coolie,  
H.No.3-9/69,
18. Vemula Veeresham, S/o. Late Ramaiah,  
Age: not known, Occ: Coolie,  
H.No.3-9/9R,
19. Namani Srinivas, S/o. Bapu,  
Age: 37 years, Occ: Coolie,  
H.No.3-9/9Q,
20. Namani Rajeshwari, D/o. Late Rayamallu,  
Age: 52 years, Occ: Coolie,  
H.No.3-9/9P,
21. Gadipelli Srinivas, S/o. Gadipelli Narayana,  
Age: 35 years, Occ: Coolie,  
H.No.3-9/90,
22. Vangala Kousalya (Late), D/o. Goli Shankaraiah,  
Rep. by her LR Vangala Srinivas, S/o. Sambaiah  
Age: 58 years, Occ: Coolie,  
H.No.3-9/9N,
23. Vangala Srinivas, S/o. Sambaiah,  
Age: 58 years, Occ: Coolie,  
H.No.3-9/9M,
24. Bala Rajesham, S/o. Bala Shankaraiah,  
Age: 58 years, Occ: Coolie,  
H.No.3-6/26,
25. Bala Sravan Kumar, S/o. Rajesham (late),  
Age: 33 years, Occ: Coolie,  
H.No.3-6/27,
26. Puttapaka Thirupathi, S/o. Bothaiah (Late)  
Age: 39 years, Occ: Coolie,  
H.No.3-6/24,
27. Gaddam Sagar, S/o. Gaddam Sammaiah,  
Age: 37 years, Occ: Coolie,

- H.No.3-9/25,
28. Salla Laxmi, W/o. Ramaiah Salla,  
Age: 69 years, Occ: Coolie,  
H.No.3-9/68,
  29. Polu Laxmi, D/o. Kondavena Veeraiah (late),  
Age: 43 years, Occ: Coolie,  
H.No.3-9/9F,
  30. Sripathi Ramulu, S/o. Venkatarajam (late),  
Age: 42 years, Occ: Coolie,  
H.No.3-9/66,
  31. Sripathi Komuraiah, S/o. Venkatarajam (late)  
Age not known, Occ: Coolie,  
H.No.3-9/67,
  32. Jakkula Srinivasulu, S/o. Mallaiah,  
Age: 56 years, Occ: Coolie,  
H.No.3-9/9G,
  33. Kummari Rajamma, D/o.R.Rajaiah (late)  
Age: 51 years, Occ: Coolie,  
H.No.3-9/9C,
  34. Kalvallaiah,  
Age: not known,  
H.No.3-9/9W,
  35. Kalva Posavva, D/o. Late Balamallu,  
Age: 75 years, Occ: Coolie,  
H.No.3-9/9Y,
  36. Velpula Jyothi Kumar, S/o. Sanjeeva Rao (late)  
Age: 38 years, Occ: Coolie,  
H.No.3-6/22,
  37. Velpula Kiran Kumar, S/o. Sanjeeva Kumar (late)  
Age: 39 years, Occ: Coolie,  
H.No.3-6/21,
  38. Mora Saroja, D/o. Gajula Rajanarsu (late),  
Age: 61 years, Occ: Coolie,  
H.No.3-9/23,
  39. Eddu Sarojana, D/o. DamyalaKanakaiiah (late)  
Age: 40 years, Occ: Coolie,  
H.No.3-9/20,
  40. Payirala Rajam, S/o. Bakkaiah (late),  
Age: 46 years, Occ: Coolie,  
H.No.3-9/17,
  41. Bathula Kalavathi, D/o. Komuraiah (late)  
Age: 47 years, Occ: Coolie,  
H.No.3-9/60,

42. Bathula Lavanya, D/o. Bathula Rajam,  
Age: 27 years, Occ: Coolie,  
H.No.3-9/60(A),
43. E. Anjali Devi, D/o. Narasimha Rao (late)  
Age: 50 years, Occ: Coolie,  
H.No.3-9/9B,
44. E. Mamatha, D/o. Kishan Rao (late)  
Age: 27 years, Occ: Coolie,  
H.No.3-9/9M,
45. Sadu Pochaiah, S/o. Laxmirajam (late),  
Age not known , Occ: Coolie,  
H.No.3-9/16A,
46. Mummadi Srinivas, S/o. Shankar,  
Age: 37 years, Occ: Coolie,  
H.No.3-1/3,
47. Bursu Aruna, D/o. Venkateshwarlu (late),  
Age: 33 years, Occ: Coolie,  
H.No.3-9/120,
48. Bellapalli Thirupathi, S/o. Narayana (late),  
Age:45 years, Occ: Coolie,  
H.No.3-6/31,
49. Sankari Rajaiah, S/o. Komuraiah (late),  
Age: 40 years, Occ: Coolie,  
H.No.3-9/9I,
50. Thammanavena Rajesh, S/o. Venkataiah (late),  
Age:32 years, Occ: Coolie,  
H.No.3-9/9I,

All are R/o.S.C.Colony, Singapur Village,  
Nennel, Mancherial-504032,  
Telangana State.

... Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary,  
Revenue Department (Land Acquisition)  
Secretariat Buildings, Saifabad, Hyderabad-022.
2. The Singareni Collieries Company Ltd.,  
Rep. by its Chairman & M.D.,  
Kothagudem Collieries,  
Bhadradri Kothagudem District,  
Telangana - 507 101.
3. The District Collector, (LA),  
Mancherial District, Telangana.
4. The Joint Collector(LA),  
Mancherial District, Telangana.

- 7
5. The Revenue Divisional Officer (LA)(RDO),  
Mancherial District , Telangana.
  6. The Tahsildar, Nennal Mandal,  
Mancherial District, Telangana.

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 dispossession of the petitioners from their respective residential houses, without paying any compensation towards the cost of their houses and without providing them the necessary rehabilitation and resettlement as guaranteed by the Right to Fair Compensation, Transparency, Rehabilitation and Resettlement Act 2013, (LA Act 2013), Telangana Amendment Act 2016 (Act 21 of 2017) amending LA Act 2013 with retrospective effect from 01.01.2014, owing to acquisition of their lands by the Singareni Collieries, as illegal, arbitrary, in violation of the Constitution under Articles 14 and 300-A, LA Act. 2013, and Telangana Amendment Act 2016 (21 of 2017) and consequently to direct the respondents to pay compensation towards the cost of their houses and to initiate rehabilitation and resettlement proceedings under the Land Acquisition Act,2013and the Telangana Amendment Act 2016, (Act 21 of 2017) for the Petitioners who have lost not only their houses but also their vocation as coolies as all of them are landless poor persons.

**IA NO: 1 OF 2018**

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 stay all further proceedings including dispossession of the petitioners, from respective residential houses, pending disposal of WP 35419 of 2018, 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 order dated 12-10-2018 made in I.A.No.1 of 2018 and upon hearing the arguments of Smt. B RACHNA REDDY, Advocate for the Petitioners and GP FOR LAND ACQUISITION for the Respondent Nos.1 and 3 to 6 and Sri P. Sriharsha Reddy, Advocate for the Respondent No.2, the Court made the following.

**ORDER:**

**This Court by an order, dated 12.10.2018, granted interim stay, as prayed for, staying all further proceedings, including dispossession of the petitioners, from the respective residential houses, pending disposal of the Writ Petition.**

**Respondent No.2 filed I.A.No.1 of 2019 seeking vacation of the said interim stay.**

This matter heard by this Court at considerable length and at one stage, directed the respondents to place on record 'Socio Economic Survey' report and having perused the same and having considered the submissions made by Sri A.Sanjeev Kumar, learned Special Government Pleader, no persons are residing in the subject land in question for the past quite some time.

This Court directed the petitioners to file an affidavit indicating as to the details of the petitioners, who are still residing in the houses in question. An affidavit is filed on behalf of the petitioners stating that all the houses are damaged and in dilapidated condition and the petitioners are not residing in the said houses.

In the circumstances, this Court does not find any reason to continue interim stay granted on 12.10.2018 and accordingly, the same is vacated. As this matter requires detailed hearing for final disposal, office is directed to list this matter on 25.01.2023 in the 'Adjourned Motion List'.

Sd/- C. PRAVEEN KUMAR  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department (Land Acquisition), State of Telangana, Secretariat Buildings, Saifabad, Hyderabad-022.
2. The Chairman and Managing Director, Singareni Collieries Company Ltd, Kothagudem Collieries, Bhadradi Kothagudem District, Telangana - 507 101.
3. The District Collector, (LA), Mancherial District, Telangana.
4. The Joint Collector(LA), Mancherial District, Telangana.
5. The Revenue Divisional Officer, (LA)(RDO), Mancherial District, Telangana.
6. The Tahsildar, Nennal Mancherial District, Telangana. (1 to 6 by RPAD)
7. One CC to Smt. B RACHNA REDDY, Advocate [OPUC]
8. Two CCs to GP FOR LAND ACQUISITION, High Court at Hyderabad. [OUT]
9. One spare copy

Note: In the order in W.P.No.35419 of 2018 in the I.A.No.1 of 2018 in prayer portion of the respondent's appearance is corrected as "Sri P. Sriharsha Reddy" in place of "Sri J. Sreenivasa Rao".

Substitute this amended order in place of the order which was already dispatched on 24-01-2023.

Sd/-C. PRAVEEN KUMAR  
ASSISTANT REGISTRAR

**HIGH COURT**

**MSK,J**

**DATED:04/01/2023**

**list this matter on 25.01.2023 in the 'Adjourned Motion List'**

**AMENDED  
ORDER**

**WP.No.35419 of 2018**



**DIRECTION**