

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE SIXTH DAY OF JUNE TWO THOUSAND AND EIGHTEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

IA No. 1 OF 2018

IN

WP NO: 17222 OF 2018

Between:

01. Nayini Saritha
W/o. Late Bhaskar, Age 35 years,
02. Bingi Anjavva,
W/o. Sattaiah, Age 33 years
03. Sandanaboina Balamani,
W/o. Muthyam, Age 31 years,
04. Bonagiri Anasuja,
W/o. Narsimlu, Age 30 years,
05. Nayini Yellavva,
W/o. Chandraiah, Age 60 years,
06. Nagulapalli Suguna,
W/o. Bixapathi, Age 30 years
07. Bonagiri Laxmi,
W/o. Bhoomaiah, Agee 65 years,
08. Nayini Vijaya Laxmi,
W/o. Anjaneyulu, Age 25 years,
09. Nayini Swapna,
W/o. Bhaskar, Age 30 years,
10. Ranga Padma,
W/o. Naraiah, Age 51 years,
11. Godugu Anitha,
W/o. Raju, Age 32 years,
12. Kommu Laxmi,
W/o. Yellaiah, Age 48 years,

13. Talari Anjaiah,
S/o. Bhixapathi, Age 42 years,
14. Nimmaraju Lavanya,
W/o. Venkatesh, Age 27 years,
15. Nimmaraju Kistavva,
W/o. Bhoomaiah, Age 57 years,
16. Burraglla Laxmi Narsavva,
W/o. Rajalingam, Age 36 years,
17. Nayini Ramana,
S/o. Srinivas, Age 40 years,
18. Nimmaraju Kishtavva,
W/o. Balaiah, Age 42 years,
19. Bonagiri Manjula,
W/o. Kista goud, Age 30 years,
20. Nimmaraju Venkatavva,
W/o. Anjaneyulu, Age 38 years,
21. Gummula Laxmi,
W/o. Ramulu, Age 42 years,
22. Nune Janaki,
W/o. Narsimlu, Age 38 years,
23. Nimmarajula Lavanya,
Wo. Karunakar, Age 30 years,
24. Godugu Raju,
S/o. Narayana, Age 38 years,
25. Nimmaraju Karunakar,
S/o. Chandraiah, Age 32 years,
26. Nayini Srinivas,
S/o. Rajalingam, Age 48 years,
27. Gummula Rajaiah,
S/o. Pochaiiah, Age 49 years,
28. Nayini Bhaskar,
S/o. Bhoomaiah, Age 37 years,
29. Nimmaraju Chandraiah,

- S/o. Rajaiah, Age 55 years,
30. Nimmaraju Kistaiah,
S/o. Balamallaiah, Age 56 years,
 31. Gummula Ramulu,
S/o. Bhoomaiah, Age 48 years,
 32. Kommu Yellaiah,
S/o. Pochaiah, Age 53 years,
 33. Burragolla Rajalingam,
S/o. Pentaiah, Age 40 years,
 34. Kommu Narsaiah,
S/o. Yellaiah, Age 56 years,
 35. Thigulla Karunakar Reddy,
S/o. Yadava Reddy, Age 28 years,
 36. Ranga Venkatesha,
S/o. Narayana, Age 27 years,
 37. Nagulapalli Anjaiah,
S/o. Anthaiah, 62 years,
 38. Naini Anjaneyulu,
S/o. Bhoomaiah, Age 35 years,
 39. Nimma Rajalaxmi,
W/o. Kishan, Age 38 years,
 40. Nagulapally Narayana,
S/o. Shivalingam, Age 38 years,
 41. Naini Santosh Kumar,
S/o. Muthyam, Age 30 years,
 42. Nagulapally Kanakaiah,
S/o. Shivalingam, Age 34 years,
 43. Rajesu Srinivas,
S/o. Komuraiah, Age 33 years,
 44. Nagulapally Venkatesham,
S/o. Shivalingam, Age 27 years,
 45. Gade Laxmi,
W/o. Anjaiah, Age 46 years,

46. Gade Venkatlaxmi,
W/o. Balaiah, Age 44 years,
47. Gulla Ashok,
S/o. Yellaiah, Age 26 years,
48. Nagulapally Venkatesh,
S/o. Lingam, Agee 27 years,
49. Manda Balnarsavva,
W/o. Narsimulu, Age 44 years,
50. Sudanaboina Nagamani,
W/o. Kanakaiah, Age 35 years,
51. Sandanaboina Muthyam,
S/o. Hanumaiah, Age 38 years,
52. Gade Muthyam,
S/o. Anjaiah, Age 36 years,
53. Adepu Shekar,
S/o. Chandraiah, Age 26 years,
54. Matroju Chandana,
W/o. Krishna Chary, Age 29 years,
55. Juvvi Navaneetha,
W/o. Ramgopal, Age 30 years,
56. Payyavula Anitha,
W/o. Narsimulu, Age 33 years,
57. Matroju Kammari Jagadamba,
W/o. Murali, Age 40 years,
58. Gurrala Suguna,
W/o. Pochaiah, Age 34 years,
59. Thalari Anuradha,
W/o. Krishna, Age 26 years,
60. Kancharla Rekha,
W/o. Raju Goud, Age 28 years,
61. Devasani Anasuja,
W/o. Yadagiri, Age 38 years,

62. Koyalakaru Saibai,
W/o. Ashok, Age 40 years,
63. Naini Mamatha,
W/o. Santosh Kumar, Age 28 years,
64. Bonagari Padma,
W/o. Mallesham, Age 38 years,
65. Bonagari Asitha,
W/o. Narayana, Age 36 years,
66. Naini Venkatesh,
S/o. Balakistaiah, Age 28 years,
67. Sandanaboina Jyothi,
W/o. Karunakar, Age 26 years,
68. Kancharla Raju Goud,
S/o. Raju Goud, Age 36 years,
69. Sandanaboina Srinivas,
S/o. Anjaiah, Age 38 years,
70. Bingi Laxman,
S/o. Narayana, Age 32 years,
71. Gummala Anjavva,
W/o. Rajaiah, Age 40 years,
72. Nimmaraju Venkat,
S/o. Yadaiah, Age 26 years,
73. Gurralla Pochaiiah,
S/o. Yellaiah, Age 36 years,
74. Thotla Ramesh,
S/o. Naraiah, Age 32 years,
75. Thotla Anjaiah,
S/o. Anjaiah, Age 60 years,
76. Nagulapally Anjavva,
W/o. Shivalingam, Age 55 years,
77. Krurakula Srikath,
S/o. Mallesham, Age 28 years,
78. Dande Ramchandram,

- S/o. Anjaiah, Age 34 years,
79. Vanjari Anil Kumar,
S/o. Balaraju, Age 27 years,
80. Nagulapally Anjaiah,
S/o. Balamallu, Age 45 years,
81. Ranga Swamy,
S/o. Narayana, Age 30 years,
82. Gurrala Chandram
S/o. Yellaiah, Age 37 years,
83. Amshala Rajamani,
W/o. Sailu, Age 46 years,
84. Thalari Krishna,
S/o. Ramulu, Age 28 years,
85. Matroju Kammari Laxmi
W/o. Hari Swmay, Age 50 years,
86. Nagulapally Sathaiah,
S/o. Balamallu, Age 36 years,
87. Nagulapally Balaiah,
S/o. Balamallu, Age 33 years,
88. Nagulapally Ramesh,
S/o. Balamallu, Age 34 years,
89. Thalari Deva Laxmi,
W/o. Kanakaiah, 24 years,
90. Nagulapally Lachavva
W/o. Ramulu, Age 43 years,
91. Kondi Narsavva,
W/o. Laxminaraiah, Age 40 years,
92. Sandanaboina Kanakaiah,
S/o. Hanumaiah, Age 32 years,
93. Nagulapally Anjavva,
W/o. Shivalingam, Age 48 years,

.....PETITIONERS

All are R/o. Etigadda Kistapur village,
Thoguta mandal, Siddipet district,

(Erstwhile Medak) having Agriculture,
labour as their major occupation

AND

01. State of Telangana,
Represented by its Principal Secretary,
Revenue (J.A & L.A) Department,
Secretariat Buildings,
Hyderabad
02. State of Telangana,
Represented by its Principal Secretary,
Irrigation and CAD Department,
Secretariat Buildings,
Hyderabad
03. Chief Commissioner of Land Administration
and Chairperson State R & R monitoring committee,
Government of Telangana,
Nampally Station Road,
Hyderabad
04. Commissioner,
Rehabilitation and Resettlement,
Government of Telangana,
Buddha Bhavan, Secunderabad
05. District Collector,
Siddipet District, Siddipet
06. Joint collector and
District Rehabilitation and Resettlement Authority,
Siddipet District
07. Special Deputy Collector (L.A),
Kaleswaram Project, Unit -III,
cum Revenue Divisional Officer,
Siddipet Division, Siddipet District
08. Tahsildar,
Thoguta Mandal,
Thoguta, Siddipet District,
09. Executive Engineer,
Kaleswaram Project,
Irrigation and CAD Department,
Government of Telangana,
Siddipet Division, Siddipet,

.....RESPONDENTS

Counsel for the Petitioners
Counsel for the Respondents

:SRI CH RAVI KUMAR
:ADDITIONAL ADVOCATE-GENERAL

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 taking possession and initiation of any kind of construction activities by the respondent authorities in the lands procured under G.O.Ms 123 dt.30.07.2015 in Etigadda Kistapur and other villages for the proposed Komaravelli Mallannasagar reservoir, while allowing the agriculture operations to continue in the subject lands, pending disposal of the WP No. 17222 of 2018, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

The learned Additional Advocate-General takes notice on behalf of respondents.

In view of Section 38 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which prohibits taking of possession until full payment of compensation as well as rehabilitation and resettlement entitlements are paid to entitled persons, including the petitioners herein who claim to be landless agricultural labourers entitled thereto under Section 16 of the said Act, there shall be interim stay as prayed for.

Sd/- K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue (J.A & L.A) Department, State of Telangana, Secretariat Buildings, Hyderabad
2. The Principal Secretary, Irrigation and CAD Department, State of Telangana, Secretariat Buildings, Hyderabad.
3. Chief Commissioner of Land Administration and Chairperson State R & R monitoring committee, Government of Telangana, Nampally Station Road, Hyderabad.
4. Commissioner, Rehabilitation and Resettlement, Government of Telangana, Buddha Bhavan, Secunderabad
5. The District Collector, Siddipet District, Siddipet
6. The Joint Collector and District Rehabilitation and Resettlement Authority, Siddipet District
7. The Special Deputy Collector (L.A), Kaleswaram Project, Unit -III, cum Revenue Divisional Officer, Siddipet Division, Siddipet District
8. The Tahsildar, Thoguta Mandal, Thoguta, Siddipet District.
9. The Executive Engineer, Kaleswaram Project, Irrigation and CAD Department, Government of Telangana, Siddipet Division, Siddipet.(1 TO 9 By RPAD)
10. One CC to SRI. CH RAVI KUMAR Advocate [OPUC]
11. Two CCs to ADDITIONAL ADVOCATE GENERAL (TG), High Court Of Judicature at Hyderabad. [OUT]
12. One spare copy

HIGH COURT

MSR, J

DATED:06-06-2018

ORDER

IA. NO. 1 OF 2018

IN

WP NO. 17222 OF 2018

INTERIM STAY

