

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

TUESDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HONOURABLE JUSTICE G SRI DEVI
AND
THE HONOURABLE SMT JUSTICE M.G.PRIYADARSINI**

L.A.A.S. NO: 310 OF 2012

Appeal Under Section 54 of the Land Acquisition Act, of 1894 against the Order and Decree made in L.A.O.P.No.172 of 2011 Dated 14.03.2012 on the file of the Court of the Senior Civil Judge, at Wanaparthi, Mahabubnagar District

Between:

The Spl.Deputy Collector/Land Acquisition Officer, O/o.L.A.Unit, P.J.P., Gadwal, Mahabubnagar District.

**...APPELLANT/REFERRING OFFICER
AND**

1. Golla Venkataiah, S/o.Ramulu,
2. Golla Skylab, S/o.Ramudu,
3. Ulligaddala Sundaramma, W/o.Ramulu,
4. Boya Krishnaiah [Died Per LRs R.17 to 20 as per orders in IA No.1097/2011 dated 27.08.2011)
5. Buchanna, S/o.Sayanna,(Died per LR- R23)
6. Chinnaiah, S/o.Pedda Beeraiah, (Died per LRs.R24 & R25)
7. Karrenna [died per LRs R.21 as per orders in IA No.1098/2011 dated 17.08.2011)
8. Manemma, W/o.Allenna,
9. Ramulu, S/o.Sayanna,
10. Allenna [Died per LRs R22 and 23 as per orders in IA No.1099/2011 dated 17.08.2011)
11. Balram, S/o.Sayanna, (Died per LR R-26)
12. Seshi Reddy, S/o.Rathna Reddy
13. Sekar Reddy, S/o.Venkat Reddy,
14. Gnaneshwar Reddy, S/o.Venkat Reddy,
15. Jagadeeshwar Reddy, S/o.Bal Reddy,(Died pe LRs R27 to 29)
16. Satya Reddy, S/o.Bal Reddy,
17. T.Bagavanthu, S/o.late Krishnaiah,
18. T.Gopal, S/o.Krishnaiah,
19. T.Ranga, S/o.Krishnaiah,
20. T.Ravi, S/o.late Krishnaiah,
21. Laxmidevamma, W/o.Boya Karrenna,
22. B.Mannemma, W/o.late Allenna
23. B.Kurumoorthy, S/o.late Krishnaiah,
24. Bajuru Narasimha S/o Late Buchanna @ Bajar Buchanna
R24 is brought on record as LRs of deceased R5 as per Court Order dated 08.03.2022 vide I.A.No.9 of 2022 in L.A.A.S.No.310 of 2012
25. Tonda Narasimha S/o Late Chinnaiah @ Tonda Chinnaiah

26. Tonda Mahesh S/o Tonda Venkataiah
R25&26 are brought on record as LR's of deceased R6 as per Court Order dated 08.03.2022 vide I.A.No.6 of 2022 in L.A.A.S.No.310 of 2012
27. Bajraju Ramulamma W/o Balram @ Bajarua Balaramudu
R27 is brought on record as LR of deceased R-11 as per Court Order dated 08.03.2022 vide I.A.No.3 of 2022 in L.A.A.S.No.310 of 2012
28. Pathi Reddy Sumathi W/o Jagadeeshwar Reddy @ Pattireddy Jagadeeshwar Reddy
29. Pathi Reddy Praveen Kumar Reddy S/o Jagadeeshwar Reddy @ Pattireddy Jagadeeshwar Reddy
30. Pathi Reddy Bhanuprakash Reddy S/o Jagadeeshwar Reddy @ Pattireddy Jagadeeshwar Reddy
(R28 to 30 are brought on record as LR's of deceased R15 as per Court Order dated 08.03.2022 vide I.A.No.12 of 2022 in L.A.A.S.No.310 of 2012)

All are Agriculturist R/o.Pebbair Village and Mandal, Mahabubnagar District

...RESPONDENTS

L.A.A.S.M.P. NO: 1018 OF 2012

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 grant stay of all further proceedings and the decree and judgement dated 14.03.2012 in OP No.172/2010 on the file of the Senior Civil Judge, Wanaparthy.

Counsel for the Appellant : GP FOR APPEALS

Counsel for the Respondents : SRI S.VENKATESHWAR REDDY

The Court made the following: JUDGMENT

THE HON'BLE JUSTICE G. SRI DEVI
AND
THE HON'BLE SMT. JUSTICE M.G. PRIYADARSINI

L.A.A.S. No. 310 of 2012

JUDGMENT: (*per Justice G. Sri Devi*)

The *lis* in this appeal preferred by the Land Acquisition Officer-cum-Special Deputy Collector, L.A. Unit, Priyadarshini Joorala Project at Gadwal, Mahabubnagar District, is directed against the order passed by the civil Court in the reference made under Section 18 of the Land Acquisition Act, 1894.

2. It is now brought to our notice that a Division Bench of this Court, entertaining similar Appeals in L.A.A.S.Nos.331, 337, 339 and 371 of 2011, preferred by the Land Acquisition officer, by its judgment, dated 01.10.2013, dismissed those appeals finding no merit therein and confirmed the orders passed by the reference Court.

3. Since it is agreed on either side that the reasoning adopted by this Court in its judgment dated 01.10.2013 holds good even in these cases, we dismiss this appeal confirming the market value fixed by the reference Court. At this stage, it is contended by the learned Counsel for the respondent(s)-claimant(s) that as per the decisions of the Apex Court in

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R.L.Jain (D) by LRs v. DDA and others¹ and **Tahera Khotoon and others v. Revenue Divisional Officer²**, the claimant(s) is/are entitled to the benefit of 15% additional interest from the date of taking possession of the land till the date of publication of the preliminary notification. The said fact has not been disputed by the learned Government Pleader for Appeals. Admittedly, the possession of the land was taken on 24.04.2003 and whereas the notification was issued on 12.12.2006. In the light of the aforesaid judgments, the respondent(s)/ claimant(s) is/are entitled for additional interest at 15% from the date of taking over of actual possession till the date of publication of notification under Section 4 (1) of the Act. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these appeals shall stand closed.

Sd/-K.SRINIVASA RAO
JOINT REGISTRAR

NOTE: On basis of the letter dated 29.04.2023, and order of the Registrar Judicial-I, names of Respondents 2,7,16 & 21 have been modified & LRs of "R15" instead of "R22" being corrected. This Judgment substitutes the earlier Judgment despatched on 24.09.2022

njb

SD/-K.SRINIVASA RAO
JOINT REGISTRAR

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SECTION OFFICER

To,

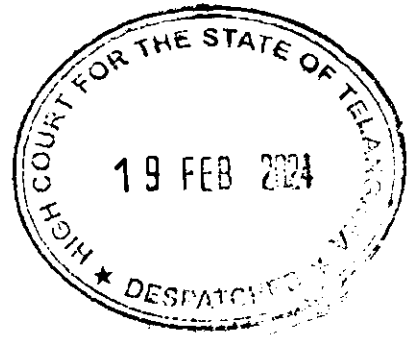
1. The Senior Civil Judge, at Wanaparthy, Mahaboobnagar District
2. One CC to Sri S.Venkateshwar Reddy, Advocate (OPUC)
3. Two CCs to G.P for Appeals High Court for the State of Telangana at Hyderabad (OUT)
4. Two CD Copies
5. One Spare Copy

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HIGH COURT

DATED: 16/08/2022

DATED 29.04.2023



AMENDMENT JUDGMENT

L.A.A.S.No.310 of 2012

**Dismissing the Appeal
Without costs.**

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

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Mahabubnagar District.

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...RESPONDENTS

Appeal Under Section 54 of the Land Acquisition Act, of 1894 against the Order and Decree made in O.P.No.172 of 2011 Dated 14.03.2012 on the file of the Court of the Senior Civil Judge, At Wanaparthi, Mahabubnagar District.

ORDER : This appeal coming on for hearing and upon perusing the grounds of appeal, the Judgment and Decree of the Lower Court and the material papers in the Suit and upon hearing the arguments of G.P for Appeals, for the Appellant and of Sri S.Venkateshwar Reddy, Advocate for the Respondents.

This Court doth Order and Decree as follows :

1. That the appeal be and hereby is dismissed by confirming the market value fixed by the reference Court.
2. That the Claimant(s) is/are entitled for additional interest at 15% from the date of taking over of actual possession till the date of publication of notification under Section 4 (1) of the Act.
3. That there shall be no order as to costs in this appeal.

**Sd/-K.SRINIVASA RAO
JOINT REGISTRAR**

NOTE: On basis of the letter dated 29.04.2023, and order of the Registrar Judicial-I, names of Respondents 2,7,16 & 21 have been modified & LR's of "R15" instead of "R22" being corrected. This Decree substitutes the earlier Decree despatched on 24.09.2022

**SD/-K.SRINIVASA RAO
JOINT REGISTRAR
SECTION OFFICER**

//TRUE COPY//

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[Signature]

HIGH COURT

DATED: 16/08/2022

DATED 29.04.2023

AMENDMENT DECREE

L.A.A.S.No.310 of 2012

**Dismissing the Appeal
Without costs.**

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27/1/24
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