

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

THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE K. LAKSHMAN
AND
THE HONOURABLE JUSTICE B.R. MADHUSUDHAN RAO**

WRIT APPEAL NO: 500 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 07-04-2026 in W.P.No 26406 of 2025 on the file of the High Court.

Between:

1. Bollu Sammi Reddy, S/o. Chandra Reddy, Aged 56 years, H.No.2-64
2. Boiledla Gyana Kumari, W/o. Thirupathi Reddy, Aged 55 years, H.No.2-66
3. Bollu Thirupathi Reddy, S/o. B. Narasimha Reddy, Aged 56 years, H.No.2-66
4. Bollu Sanjivamma, W/o. Bollu Venkat Reddy, Aged 75 years, H. No.2-63

All are residents of Oorugonda Village, Damera Mandal, Hanumakonda District-506342

...APPELLANTS/WRIT PETITIONERS 01 to 04

Gondhi Rajkoti Reddy, S/o. G. Ravinder Reddy, Aged: 35 years, H.No.2-147, Oorugonda Village, Damera Mandal, Hanumakonda District – 506342

...Not Necessary party/Writ Petitioner No.05

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (JA & 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, Damera mandal, Damera, 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.

...RESPONDENTS/RESPONDENTS

I.A. NO: 2 OF 2026

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 the operation of impugned final order dated 07.04.2026 passed in W.P.No.26406 of 2025 while restoring the interim order dt.09.09.2025 in the said writ petition

Counsel for the Appellant: SRI CH. RAVI KUMAR

Counsel for the Respondent No.1 to 4: ASST. GP FOR REVENUE

**Counsel for the Respondent No.5: SRI N. BHUJANGA RAO,
DY. SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent No.6 & 7: SRI MADISHETTY RAMU, SC FOR NHAI

The Court delivered the following: JUDGMENT

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

HON'BLE SRI JUSTICE K. LAKSHMAN
AND
HON'BLE JUSTICE B.R. MADHUSUDHAN RAO

WRIT APPEAL No.500 OF 2026

Date: 30.04.2026

Between:

Bollu Sammi Reddy and 4 others.

..... Appellants

AND

The State of Telangana,
Rep. by its Principal Secretary,
Revenue (JA & LA) Department,
Dr.B.R. Ambedkar Secretariat Buildings,
Hyderabad and 6 others.

..... Respondents

JUDGMENT: *(Per Hon'ble Sri Justice K. Lakshman)*

Feeling aggrieved and dissatisfied with the order dated 07.04.2026 in W.P.No.26406 of 2025 passed by the learned Single Judge, the unsuccessful writ petitioners filed the present Intra-Court appeal under Clause 15 of Letters Patent.

2. It is apt to note that out of five writ petitioners, 4 of them preferred the present appeal.

3. W.P.No.26406 of 2025 was filed seeking following relief:

"...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 invalid public notices under section 3-G of NH Act 1956 and passing invalid and incomplete awards vide proceedings No.B/85/2021-10-NH-163G dt.16.01.2024 for the subject lands of the petitioners in Oorugonda village, Damera mandal, Hanumakonda District in violation of provisions of NH Act 1956 read with RFLTLARR Removal of Difficulties order dt.28.08.2015 (b) proceeding to take over possession of the subject lands by issuing invalid notices u/s 3E based on the said impugned awards, (c) 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) 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 (a) 3A notification vide S.O.No.1102 dt.10.03.2021 and 3-D notification vide No.1017 dt.08.03.2022 (b) notice under section 3G vide No.B/85/2019 dt.04.02.2023 and (c) award proceedings No.B/85/2021-10-NH-163G dt.16.01.2024, pertaining to the subject lands of the petitioners in Oorugonda village, Damera mandal of Hanumakonda District that are put under acquisition for the proposed NH-163G on the stretch of land from Km.88.418 to Km.111.762 Parkal and pass..."

4. In the said writ petition, the writ petitioners have contended that they are entitled for benefits under R&R scheme as provided in the Second and Third Schedules of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (For short, 'Act, 2013') and also the compensation in respect of structures and tress such as Bore/Open

Wells/Pipelines, Drips, standing crop including maize, banana, as per the prevailing market value. It is also apt to note that they have obtained interim stay on 09.09.2025 in the said writ petition. The same was continued till 07.04.2026 on which date, while disposing of the writ petition, the learned Single Judge vacated the said interim order.

5. *Vide* the impugned order dated 07.04.2026, the learned Single Judge disposed of the writ petition relegating the writ petitioners to avail the statutory remedy under Section 3G(5) of the National Highways Act, 1956 and thereafter, if necessary, under Section 34 of the Arbitration and Conciliation Act, 1996.

6. It is the specific contention of the appellants herein that after vacating the interim order dated 09.09.2025 and disposal of the writ petition by the learned Single Judge on 07.04.2026, the respondents tried to dispossess the appellants from the subject property. There is standing crop of Maize and Banana. The respondents are trying to lay road in the subject property in which event, the appellants are not in a position to prepare claim in respect of the structures such as Bore/Open Wells/Pipelines, Drips, standing crop like Banana, Maize etc. therefore, they have preferred the present writ appeal.

7. During the course of hearing, Sri Ch. Ravi Kumar, learned counsel for the appellants; Sri. B.Narasimha Sharma, learned Additional Solicitor General of India, representing Sri Madishetty Ramu, learned Standing Counsel appearing for respondent Nos.6 and 7, learned Assistant Government Pleader for Land Acquisition appearing for respondent Nos.1 to 4, brought to the notice of this Court that *vide* judgment dated 16.04.2026, the learned Division Bench disposed of W.A.No.434 of 2026 preferred by the similarly situated persons as that of the appellants herein. The learned Division Bench, while setting aside the impugned judgment therein granted liberty to the appellants therein to approach respondent No.7 therein, with a claim for entitlement towards R&R Scheme under the Second and Third Schedules of the Act, 2013. It was further directed that, upon such application being made, respondent No.7 therein would take a decision in accordance with law within a period of eight weeks from the date of receipt of the copy of the judgment along with the application. Learned Division Bench also took note of the submission made by the appellants therein that their houses have been demolished after passing of the impugned judgment and observed that it would be open for them to seek directions from the competent authority for

providing temporary shelter in the meantime, which shall also be considered in accordance with law.

8. Sri Ch. Ravi Kumar, learned counsel for the appellants would submit that in the present case, the subject properties comprises of agricultural land, open spaces, wherein, there are Bore/Open Wells/Pipelines, Drips, standing crop of Maize and Banana and in proof of the same, he has filed photographs. In the present case, respondents did not pay any compensation to the appellants in accordance with the provisions of the Act, 2013. Therefore, liberty may be given to the appellants to approach respondent No.2 seeking compensation in accordance with law.

9. Whereas, Sri B. Narsimha Sharma, learned Additional Solicitor General of India would contend that respondent No.3 has already passed a supplementary award *vide* Proceedings No.B/85/2021-10-NH-163G-Structure, dated 28.05.2025 with regard to the compensation of structures/trees, which were not included in the earlier awards. Therefore, there is no need for granting liberty to the appellants to approach respondent No.3 seeking compensation for the structures.

10. Whereas, learned counsel appearing for the appellants sought to set aside the said proceedings dated 28.05.2025 also on the ground that the same was passed without affording an opportunity to the appellants even to claim structures including Bore/Open Wells/Pipelines, Drips, etc.

11. In the light of the said submission, it is apt to note that the appellants have raised the said ground before the learned Single Judge in the aforesaid writ petition. Therefore, it is for the appellants to make a claim with regard to the same before respondent No.3 seeking benefits under R&R Scheme and insofar as compensation is concerned, they have to approach respondent No.2.

12. Learned Additional Solicitor General of India, has produced written instructions of respondent No.6 stating that appellant No.1 has given consent for possession of the land including Clearing and Grubbing (about 110 meters). In respect of appellant Nos.2 and 3, they have given consent and requested one day time for safe removal of the drip irrigation work/pipes associated with it. Accordingly, out of about 100 meters, clearing and grubbing in respect of 50 meters has been completed. With regard to appellant No.4, possession of the

land including Clearing and Grubbing (about 15 meters) has been taken over with consent.

13. Whereas, learned counsel appearing for the appellants, on instructions, disputes the said fact contending that the appellants are in possession of the subject property and there is standing crop of Maize and Banana. There are drips and also pipes and borewell. Therefore, reasonable time may be granted to the appellants to approach respondent Nos.2 and 3 seeking benefits in terms of the Act, 2013 and in the meanwhile, protection may be granted to them.

14. In the light of the aforesaid consensus arrived among the parties, this writ appeal is disposed of. The impugned judgment dated 07.04.2026 passed in W.P.No.26406 of 2025 by the learned Single is set aside. Liberty is granted to the appellants to approach respondent No.3 seeking benefits under R&R Scheme as provided under Second and Third Schedules of the Act, 2013. Liberty is also granted to the appellants to approach respondent No.2 seeking compensation in respect of structures, trees, Bore wells, Pipelines, Drips, standing crop including Banana and Maize, based on the prevailing market value and respondent No.2 shall consider the same and pass appropriate orders in accordance with law. The appellants shall approach

respondent Nos.2 and 3 with their respective claims, within one (01) week from today. Upon receipt of the said claims, both respondent Nos.2 and 3 shall consider and dispose of the same strictly in accordance with law within a period of four (04) weeks thereafter. Till such time, the respondents are directed not to dispossess the appellants from the subject property and not to interfere with their possession over the subject property. Liberty is also granted to the appellants to submit all the relevant documents, photographs, etc, in support of their claims before respondent Nos.2 and 3 and respondent Nos.2 and 3 shall consider the same. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this appeal shall stand closed.

**SD/- P. CH. NAGABHUSHAMBA
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (JA & LA) Department, The 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, Damera mandal, Damera, Hanumakonda District
 5. The Secretary, Ministry of Road Transport and Highways, Union of India, New Delhi
 6. The Regional Officer, The 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, Warangal, Warangal District.
 8. One CC to SRI CH. RAVI KUMAR, Advocate [OPUC]
 9. One CC to SRI MADISHETTY RAMU, SC FOR NHAI [OPUC]
 10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
 11. One CC to SRI N. BHUJANGA RAO, Deputy Solicitor General of India [OPUC]
 12. Two CD Copies
- BN

BN

CC TODAY

HIGH COURT

DATED: 30/04/2026

JUDGMENT

WA.No.500 of 2026



DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

15
01/05/26