IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

WEDNESDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 701 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against the order dated 08/06/2026 in W P No 45167 of 2018 and on the file of the High Court.

Between:

Bingi Rajamma,, W/o Late B. Ramachandram, Aged about 71 years, Occupation: House wife, resident of NAMNOOR Village, Hazipur Mandal, Mancherial District, Telangana State.

...APPELLANT

AND

1. State of Telangana,, represented by the Principal Secretary, Irrigation and C.A.D. Department, Secretariat, HYDERABAD - 500 022(T.S.).
2. Executive Engineer, Irrigation and C.A.D., Sripada Yellampally Project, MANCHERIAL, T.S.
3. District Collector, L.A., Adilabad, presently District Collector, L.A., Mancherial District, at MANCHERIAL.
4. Special Deputy Collector, L.A., Unit-II, Dr. B.R. Ambedkar PCSS Project, Asifabad, Head Quarters, MANCHERIAL (Post and District), T.S.
5. Revenue Divisional Officer,, Mancherial Division, MANCHERIAL(Post and District), T.S.
6. Tahsildar,, Mancherial Mandal, MANCHERIAL (Post and District), T.S.

...RESPONDENTS

I.A. NO: 1 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 hear the above writ appeal at an early date

Counsel for the Appellant: SRI. K RAJANNA
Counsel for the Respondent No.1 & 2: Ms S. SWATHI, AGP FOR IRRIGATION AND COMMAND AREA DEVELOPMENT DEPARTMENT.

Counsel for the Respondents No.3 To 6: SRI E. RAMESH CHANDR GOUD, GP FOR LAND ACQUISITION

The Court made the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.701 OF 2026

Dated: 12.08.2026

Between:

Bingi Rajamma,
W/o. Late B. Ramachandram

...Appellant

and

State of Telangana,
Represented by the Principal Secretary,
Irrigation & C.A.D. Department,
Secretariat, Hyderabad-500 022 (T.S.)
and 5 others

...Respondents

JUDGMENT:

Heard Mr. K. Rajanna, learned counsel appearing for the appellant, Ms. S. Swathi, learned Assistant Government Pleader for Irrigation and Command Area Development Department, appearing for respondent Nos.1 and 2 and Mr. E. Ramesh Chandra Goud, learned Government Pleader for Land Acquisition, appearing for respondent Nos.3 to 6.

2. The preliminary notification, dated 21.12.2017, under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act of 2013'), whereby notice was issued to interested persons whose lands were sought to be acquired for payment of legitimate compensation and exemption under Section 10A of the Act of 2013, included the name of the appellant at Sl.No.3. However, by subsequent proceedings captioned as 'NOTICE' dated 30.05.2018, the Special Deputy Collector (Land Acquisition), Unit-II, Mancherial, has removed the name of the appellant from the notification i.e., Form-VI. Being aggrieved, the Writ Petition being W.P.No.45167 of 2018, was preferred.

3. The learned writ Court *vide* order dated 08.06.2026 passed in W.P.No.45167 of 2018 declined to interfere in the matter taking into note the stand of the respondents that the husband of the appellant had been paid compensation in respect of H.No.5-60 and also for the structures corresponding to H.No.5-61 and the land appurtenant thereto, which was acquired under the Land Acquisition Act, 1894. Therefore, the respondents had satisfactorily explained that compensation had already been awarded for the combined extent covered by both the house properties. The appellant does not have any forceable subsisting right to claim any compensation in respect of H.No.5-61. However, the proceedings dated 30.05.2018 were issued without any notice to the appellant, who is an interested party under the

notification dated 21.12.2017. Therefore, the instant appeal has been preferred.

4. Learned Assistant Government Pleader for Land Acquisition has submitted that the removal of appellant's name was on the basis of a three-man committee report. However, he submits that no separate notice was issued to the appellant.

5. Learned counsel for the appellant submits that dropping of appellant's name by notice dated 30.05.2018 was in pursuance of the preliminary notification for acquisition issued under Section 11 of Chapter-IV of the Act of 2013, which contemplates issuance of notice to the owner/occupier before carrying out survey of the land, which has not been done in the instant case. Respondent Nos.3 to 6, in their counter affidavit filed in the Writ Petition, do not deny that even for a joint survey by a three-man committee, any notice was issued upon the appellant/occupier.

6. Learned counsel for the respondents submit that since acquisition has earlier been made under the Land Acquisition Act, 1894, the present preliminary notification under Section 11 of the Act of 2013 was issued for awarding compensation in respect of the missing structures in which the name of the appellant figures at Serial No.3.

7. If it is the case of the respondents that the exercise for grant of compensation for missing structures was being carried out by them under Section 11 of the Act of 2013, then the procedure prescribed under Chapter-IV ought to have been followed. The respondents have relied upon a three-man committee report to drop the name of the appellant from eligible land-losers category, as according to them compensation had already been awarded for the combined extent covered by both the house properties. However, no notice before such survey was issued to the appellant in terms of Section 12 of the Act of 2013. In such a case, the appellant did not get any opportunity to raise an objection and make a claim for compensation during the inspection process before the officers. On a claim of compensation, pursuant to the preliminary notification under Section 11 of the Act of 2013, the name of the appellant has been dropped without providing any opportunity for her to raise an objection. Though the case of the appellant is not of such nature, where the acquisition itself is being objected to and where the Collector is required to give an opportunity of hearing to the person interested, as per Section 15 of the Act of 2013, but even in a case where the claim of compensation to a person like the appellant is being dropped on the basis of a survey conducted without any notice to such person, it would fall foul of the scheme of the acquisition process carried out under Chapter-IV of the Act of 2013. Had an opportunity been given to the appellant before such survey of her structures or premises was carried out, the appellant would have been in a position to

object and demonstrate with cogent documents or proof that no compensation had been awarded in respect of missing structure notified under the notification issued under Section 11 of the Act of 2013.

8. Therefore, we are of the view that the learned writ Court committed an error in dismissing the Writ Petition. The respondents would issue notice upon the appellant to file objections on the claim of compensation in respect of the subject house, which was notified under Section 11 of the Act of 2013. If need be, a fresh survey can also be carried out by the Collector after due notice to the appellant, based upon which a fresh decision on the claim of compensation under the instant notification can be taken in accordance with law.

9. With these observations and directions, the Writ Appeal stands disposed of. The above exercise be carried out within a period of four months from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/- MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. State of Telangana,, represented by the Principal Secretary, Irrigation and C.A.D. Department, Secretariat, HYDERABAD - 500 022(T.S.).
2. Executive Engineer, Irrigation and C.A.D., Sripada Yellampally Project, MANCHERIAL, T.S.
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5. Revenue Divisional Officer,, Mancherial Division, MANCHERIAL(Post and District), T.S.
6. Tahsildar,, Mancherial Mandal, MANCHERIAL (Post and District), T.S. One CC to SRI. K RAJANNA Advocate [OPUC]
7. Two CCs to AGP FOR IRRIGATION AND COMMAND AREA DEVELOPMENT DEPARTMENT, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CCs to SRI M. SRINIVAS REDDY, AGP FOR LAND ACQUISITION, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

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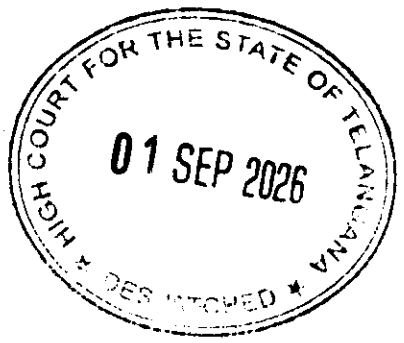
TKS

HIGH COURT

DATED: 12/08/2026

JUDGMENT

WA.No.701 of 2026



DISPOSING OF THE WRIT APPEAL

WITHOUT COSTS

(13)
NT
21/8/26