

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT PETITION NO: 34797 OF 2025

Between:

1. ROUTHU SRAVANTHI, W/o Routhu Praveen Kumar, Aged 39 Years, Occu- Housewife, R/o H.No.2-19-16/B, Flat No.28, Kalyanapuri, Uppal, Ranga Reddy District-500039, Telangana.
2. Y. RADHIKA, W/o Y. Chandrasekhar Rao, Aged 46 Years, Occu- Housewife, R/o H.No.1-19-86/52, Ashok Manipuri, Kapra, ECIL Post, Hyderabad, Telangana - 500062.
3. GUDIPUDI KIRAN KUMAR, S/o G. Srinivas Rao, Aged 45 years, Occu- Business, R/o Flat No.1104, Block -3, My Home Vihanga, Near TNGO Colony, Serilingampally, Gachibowli, Near Q City, Gopanpally.
4. AKULA UMA, W/o A. Chandra Shekar, Aged 55 Years, Occu- Housewife, R/o H.No.1-19-86/28, Ashok Manipuri, Kapra, Ranga Reddy, Hyderabad- 500062, Telangana.
5. KOLCONDA PRATHYUSHA, W/o Budhavaram Naresh Kumar, Aged- 39 years, Occu- Housewife, R/o H.No.1-3-19/A, Vikrampur, Street No.4, Habsiguda, Hyderabad-500007, Telangana.
6. KOLKONDA UNMISHA, W/o Vinay Kumar Chakravarthi, Aged 35 years, Occu- Housewife, R/o H.No.1-3-19/A, Vikrampur, Street No.4, Habsiguda, Hyderabad-500007.
7. SAMBANGI SUMANA, W/o S. Bhanu Prasad, Aged 44 years, Occu- Housewife, R/o H.No.5-9-286/167/168/1, Shaili Gardens, Behind Petrol Bunk, Yaprul, J.J. Nagar Colony, Thirumalgherry, Hyderabad, Telangana-500087.
8. BANDARU MANASA, W/o Narsimharao, Aged 32 Years, Occu- Housewife, R/o H.No.3-32, Gondriyala, Nalgonda District-508206, Telangana
9. VADLAMUDI INDU, W/o Sai Babu, Aged 38 years, Occu- Housewife, R/o Plot No.C-59, Flat No. 301, Vijayalaxmi Nilayam, Near Sharada Theatre, AS Rao Nagar, Rukminipuri Colony, Kapra, ECIL Post, Medchal-Malkajgiri District, Telangana - 500062.
10. TAKKALLAPELLE LAXMI, W/o T. Ravinder Rao, Aged 50 years, Occu- Housewife, R/o H.No.7-223, Yellanda Village, Wardhannapet Mandal, Warangal, Telangana - 506313.
11. PEDDI SANGEETH KUMAR, S/o Peddi Laxmaiah, Aged 47 years, Occu- Business, R/o H.No.1-6-1022, Ram Nagar, Musheerabad, Hyderabad- 500020.
12. NAGINENI MALLIKARJUN RAO, S/o Subbaiah Chowdary, Aged about 60 Years, Occu- Business, R/o Flat No.408, Venkat Kalyan Residency, Kukatapalli, Hyderabad-500072, Telangana.
13. DANDAMUDI UMA MAHESWARA RAO, S/o Dandamudi Venkateswar Rao, aged 47 years, Occu- Business, R/o 2-22-96/4/G, Namrata Avenue

Apartments, Vijayanagar Colony, Opp. Patel Kunta Park, Thirumalgherry, Hyderabad, Telangana.

14. DANDA PRASAD, S/o late Sankara Rao, Aged 50 years, Occu- Business, R/o No.3-14, Adusumalli, Prakasham District, Andhra Pradesh-523169.
15. ALURI NARENDRA PRASAD, S/o Rathaiah Babu, Aged 50 years, Occu- Business, R/o Plot No.317, Flat No.501, Aluris Paradise, Sardar Patel Nagar, Opp. Nizampet X Road, JNTU, Kukatpally, Hyderabad-500085.
16. PADMASRI GADDE, W/o Sridhar Gadde, Aged 48 years, Occu- Housewife, R/o H.No.7-1-619/A/2, Flat No.101, Divya Krupa Apartment, Gayatri Co-Op Society, Near Maitrivanam, Ameerpet, Sanjeev Reddy Nagar, Hyderabad-500038.
17. AMAZE HILL COUNTY WELFARE ASSOCIATION, (A Society registered under the Telangana Societies Registration Act, 2001), Rep. by its General Secretary, Aluri Ashok Kumar S/o Rathaiah Babu, aged 51 years, Occu- Business, R/o Plot No.393, Vivekananda Nagar -Colony, Kukatpally, Hyderabad-500072.
18. SRI R. R. PROPERTIES, Rep. by its Managing Partner Aluri Ashok Kumar, S/o Rathaiah Babu, aged 51 years, Occu- Business, R/o Plot No. 393, Vivekananda Nagar Colony, Kukatpally, Hyderabad-500072, Telangana.
19. DADI RAVINDER REDDY, S/o Dadi Keshava Reddy, aged 56- years, Occu- Bussiness, R/o- H.No.1-49/20/A, Suryanagar Colony, Near Registration Office, Uppal, Medchal-Malkajgiri, Telangana-500039

...PETITIONERS

AND

1. The State of Telangana, Revenue Department, Secretariat Buildings, Hyderabad, through its Principal Secretary.
2. The District Collector, Rangareddy District, Integrated District Office- Complexes, Kongar Kalan Village, Ibrahimpatnam Mandal, Ranga Reddy District - 501510.
3. The Special Grade Deputy Collector - Cum Revenue Divisional Officer, Meerkhanpet Village, Kandukur Mandal, Ranga Reddy District, Hyderabad-501203.
4. Telangana State Industrial Infrastructure Corporation Limited (TGIIIC), Sixth Floor, Parisram Bhavan, Fateh Maidan Road, Basheerbagh, Hyderabad-500004, Telangana, Rep. by its Vice Chairman and Managing Director.
5. The Tahsildar, Kandukur Mandal, Meerkhanpet Village, Kandukur, Ranga Reddy, Telangana-574823.
6. The Joint Sub- Registrar, Kandkur Mandal, Ranga Reddy, Telangana-501359.
7. Green Pharma City Police Station, Kandkur Mandal, Ranga Reddy District, Telangana - 501509.
8. KAMANDALA YADGIRI, S/o late Kamandla Narsimha, Age 41 years, Major, R/o H.No.5-104, MP Patelguda, Mangalpally, Ibrahimpatnam Mandal, Rangareddy District, Telangana.
9. KOPPURAVURI BHASKER RAMAKRISHNA, S/o Koppuravuri Sathyanarayana, Age 51 years, R/o H.No.4-30/4/WP, Sri Sai Nilayam, Ayyappa Nagar Colony, Backside Ayyappa Temple, Hayathnagar, Ranga Reddy District, Telangana.
10. G. KRISHNA, S/o late G. Ramulu, Age 39 years, R/o H.No.1-83, Gurramguda Village, Saroornagar, Ranga Reddy District, Telangana.
11. GUNDLA SREESHAILAM, S/o Gundla Anjaiah, Age 40 years, R/o H.No.7-1-72, S.V. Colony, Bairamalguda, L. B. Nagar, Ranga Reddy District, Telangana.
12. GORIGA SRISAILAM, S/o late G. Beerappa, Age 45 years, R/o H.No.1-82, Gurramguda, Saroornagar, Ranga Reddy District, Telangana.
13. SIDDAMSETTY SIVARAMA PRASAD, S/o. Sri. Seethaiah, about 46 years, R/o- 404, SKT Towers, Indira Nagar, Khammam(urban), Khammam District, T.S.

(Respondents 8 to 13 are proforma parties and no relief is claimed against them)

...RESPONDENTS

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 or Order or Direction more particularly one in the nature of a Writ of certiorari- a) To Declare the validity of G.O M. s No- 46, Order Dated 20/07/2017, issued by Industries and Commerce (IP and INF) DEPARTMENT and Challenging the Validity of the state in exempting Hyderabad Pharma City under section 10-A (E) of the Act from the application of provision of Chapter-II and chapter-III in relation to Petitioners land herein, as illegal, null and void and being in violation of Articles 14, 19, 21, and 300-A of the Constitution of India. b) Quashing of the land acquisition proceedings Notifications A2/2331-Meerkhanpet/2017, dated 30-04-2022 award in relation to Survey Nos.115, 116, and 117 to an extent of Petitioners land herein as illegal, null and void. c) Declaring the land acquisition G2/3491/2024 Form-C notification and Form 7-Notification for construction of a six-lane, 300-feet-wide road from Skill Development University to ORR Exit No.13 to an extent of Ac.2.30 Guntas as illegal, null, and void, in respect of the petitioners land herein in relation to Survey Nos.115, 116, and 117 of Meerkhanpet Village, Kandukur Mandal, Ranga Reddy District, d) A direction restraining the Respondents, from taking any further steps to dispossess the petitioners or interfere with their peaceful possession of the said land

IA NO: 2 OF 2025

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 pursuant to the acquisition process initiated vide proceedings No.A2/2331-Meerkhanpet/2017, dated 29.05.2018, pursuant to the Award dated 30.04.2022 passed thereon as well as the letter dated 16.01.2025 of the Respondent No.4, including seeking demolition of the structures erected thereon by the Petitioners by dispossessing them from their own land Respondent No.2 herein, G2/3491/2024 Form-C notification and Form-7 Notification as illegal, null, and void, being in violation of the Land Acquisition

legislations and Articles 14,19, 21, and 300-A of the Constitution of India, in respect of the petitioners land in Survey Nos.115, 116, and 117 of Meerkhanpet Village, Kandukur Mandal, Ranga Reddy District, pending disposal of the above Writ Petition

Counsel for the Petitioners: SRI. SISTA VENKATAKAMESWARA SAKETH

Counsel for the Respondent Nos. 1,2,5&6: GP FOR REVENUE

**Counsel for the Respondent No.3: SRI E. RAMESH CHANDRA GOUD,
AGP FOR LAND ACQUISITION**

Counsel for the Respondent No.4: SRI SRIKANT REDDY, SC FOR TSIIC

Counsel for the Respondent No.7: GP FOR HOME

Counsel for the Respondent Nos. 8to13:--

The Court made the following: ORDER

**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 PETITION No.34797 of 2025

DATE: 08.12.2025

Between:

Routhu Sravanthi and 18 others

....Petitioners

AND

The State of Telangana, Revenue Department,
Secretariat Buildings, Hyderabad through
its Principal Secretary and 12 others

....Respondents

ORDER

Heard Sri Sista Venkata Kameswara Saketh, learned counsel for the petitioners; Sri E.Ramesh Chandra Goud, learned Government Pleader for Land Acquisition appearing for respondent No.3; and Sri Srikanth Reddy, learned Standing Counsel for Telangana State Industrial Infrastructure Corporation (for short 'TSIIC') appearing for respondent No.4 and perused the record.

2. In the present writ petition, the petitioners assert ownership over various extents of land situated in Sy.Nos.115, 116 and 117 of Meerkanpet Village, Kandukur Mandal, Ranga Reddy District claiming to have purchased it under registered

sale deeds between the years 2020 and 2023. The petitioners in the present writ petition challenge the following:

- (i) the Constitutional and Statutory validity of G.O.Ms.No.46 dated 20.07.2017 issued by the Industries and Commerce Department, Government of Telangana, whereby the project known as "Hyderabad Pharma City" was exempted from the operation of Chapters II and III of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter "RFCTLARR Act, 2013" or "2013 Act"), as amended by the State;
 - (ii) the consequential land acquisition proceedings undertaken pursuant to the said G.O., culminating in the Award dated 30.04.2022 passed by the Revenue Divisional Officer, Kandukur; and
 - (iii) the subsequent and independent acquisition proceedings initiated through Notification No. G2/3491/2024 dated 28.10.2024 for the formation of a six-lane road. The petitioners contend that the impugned executive action and the acquisition processes are unconstitutional, ultra vires the 2013 Act, and liable to be set aside.
- 3.** The core grievance of the petitioners is that the respondents have undertaken a colourable exercise of power by initiating successive and overlapping acquisition proceedings under shifting and inconsistent public purposes, thereby infringing upon the petitioners' rights, and such actions violate the principles of natural justice under Articles 14, 19, 21 and 300-A of the Constitution of India.

4. To appreciate the facts in their proper perspective, it is apposite to set out the chronology of events, which is tabulated hereunder:

S.No.	Date	Event	Description
1	06.01.2012	Government Order	G.O.Ms.No.14 issued appointing Special Deputy Collector for acquisition under the LA Act, 1894 for Sy. Nos. 113-119 (Ac.52.30 gts), Meerkhanpet Village.
2	25.05.2012/ 28.05.2012	Section 4(1) Notification	Notification under Section 4(1) of the LA Act, 1894 published in the Gazette.
3	18.05.2013/ 20.05.2013	Section 6 Declaration	Declaration under Section 6 of the LA Act, 1894 published.
4	01.06.2013	Notices Issued	Notices under Sections 9(1), 9(3), 10 of the LA Act, 1894 Act issued (Forms 6 & 7).
5	22.06.2013	Sale of Subject Lands	Dhulipala Satyanarayana purchases lands in Sy. Nos. 115, 116, 117 from Sai Chaitanya Housing Pvt. Ltd.
6	26.07.2013	Writ Petition Filed	W.P. No.22398/2013 filed before AP High Court challenging acquisition.
7	02.09.2013	Interim Order	High Court grants interim stay of dispossession for Sy.Nos.115, 116, 117.
8	20.07.2017	G.O.Ms.No.46 Issued	Government invokes Section 10A(e) of RFCTLARR Act exempting Hyderabad Pharma City from Chapters II & III.
9	29.05.2018	Section 11 Notification	Preliminary Notification for acquisition of 99 acres including subject lands.
10	01.02.2020	TSIIC Request	TSIIC requests withdrawal of 2012 proceedings under LA Act due to fresh RFCTLARR proceedings.
11	15.05.2020	Section 19 Declaration	Declaration under Section 19 of RFCTLARR Act issued.
12	30.04.2022	Award Passed	Award under Section 30 determining ₹15,75,12,555/- for Ac.70.17 gts; Dhulipala Satyanarayana shown as landowner.
13	28.10.2024	Fresh Acquisition	New Section 11 Notification for 449.27 acres for 6-lane road including Ac.2.30 gts in Sy.No.115.
14	16.01.2025	Police Protection Request	TSIIC seeks police protection for removal of encroachments/structures.
15	11.02.2025	Mutation	Dharani portal reflects mutation of subject land in favour of TSIIC.

5. Learned Counsel for the petitioners contended that the respondents have indulged in a colourable exercise of statutory power by initiating three distinct and overlapping acquisition proceedings: i) first in the year 2012 under the Land Acquisition

Act, 1894 (for short 'LA Act, 1894') for an "Industrial Park";
ii) thereafter between 2017 and 2022 for the "Hyderabad Pharma City" under the RFCTLARR Act, 2013; and iii) again in 2024 for a "six-lane road", this shifting nature of the public purpose across these proceedings demonstrates lack of *bona fides*, arbitrariness, and an abuse of the doctrine of Eminent Domain, thereby violating Articles 14 and 300-A of the Constitution of India.

6. It is contended that the State's resort to Section 10A(e) of the RFCTLARR Act, 2013 to exempt the Hyderabad Pharma City project from the mandatory requirements such as the Social Impact Assessment, public hearing, and consent, amounts to a substantive deprivation of procedural safeguards provided under the Act. The petitioners contend that the said G.O. is *ultra vires* to the parent Act, unconstitutional, and violative of the basic structure principles underlying the RFCTLARR Act, 2013 which represents a comprehensive and rights-protective regime for landowners.

7. The petitioners further contend that the interim order dated 02.09.2013 in W.P.M.P.No.27477 of 2013 in W.P.No.22398 of 2013, whereby dispossession of the then landowner was stayed, continued to remain in force. Notwithstanding such subsisting protection, the respondents initiated and pursued subsequent acquisition proceedings,

which renders the said proceedings illegal, contemptuous, and *void ab initio*.

8. The petitioners submit that the acquisition is deemed to have lapsed in law as the Award dated 30.04.2022 was passed well beyond the statutory period of twelve months prescribed under Section 25 of the RFCTLARR Act, 2013, reckoned from the Declaration dated 15.05.2020.

9. It is contended that the petitioners being subsequent *bona fide* purchasers of the subject lands were not give any notice, hearing, or opportunity to file objections under Section 21 of the RFCTLARR Act, 2013. No opportunity was afforded to them, and that the unilateral mutation of the lands in favour of TSIIC on the Dharani portal was carried out without authority of law and in complete violation of the procedural safeguards mandated by the revenue statutes.

10. The petitioners placing reliance on the interpretation of Section 24(2) of RFCTLARR Act, 2013 in ***Indore Development Authority v. Manoharlal***¹, contend that the acquisition stands abated inasmuch as neither physical possession of the land has been taken nor compensation has been paid to them, who are the rightful owners by virtue of registered conveyances. Further, it is contended that large extents of government land being available in the vicinity, the insistence on acquiring private

¹ (2020) 8 SCC 129

agricultural holdings is arbitrary, unreasonable, and *mala fide*, particularly when less intrusive alternatives exist.

11. The petitioners contend that the purported public purpose is illusory, as the acquisition is ultimately intended to benefit private entities under a Public-Private Partnership (PPP) model. The petitioners submit that compulsory acquisition for the benefit of private commercial interests is impermissible and contrary to the constitutional understanding of "public purpose"; and the Award dated 30.04.2022 itself records that possession has not been taken and that registrations were under prohibition due to the Pharma City project. Yet, the petitioners' sale deeds were validly registered by the Registration Department, which undermine the legality and credibility of the acquisition proceedings.

12. *Per contra*, learned Government Pleader for Land Acquisition refuting the petitioners' claims contended that the acquisition initiated in 2012 under the LA Act, 1894 stood withdrawn upon the communication dated 01.02.2020 issued by TSIIC requesting the District Collector to terminate the earlier proceedings. Thereby, the earlier acquisition ceased to subsist in the eye of law. Thus, the allegation of multiplicity or overlap of acquisition proceedings is misconceived.

13. Learned counsel for the respondents further contend that the petitioners purchased the subject lands subsequent to the publication of the Preliminary Notification dated 29.05.2018.

Under Section 11 of RFCTLARR Act, 2013, any transfer of land after such notification, without out written approval of the Collector, is void, and petitioners being *pendente lite* purchasers, they acquire no independent rights and lack *locus standi* to challenge the acquisition.

14. It is also contended that the interim order dated 02.09.2013 passed in W.P.No.22398 of 2013 only restrained dispossession in respect of proceedings under the LA Act, 1894, and the subsequent acquisition under 2013 Act is an independent statutory process. The petitioners, being strangers to the said writ petition, cannot derive any benefit therefrom, nor does the interim order operate as a bar to the later acquisition.

15. It is the specific stand of the respondents that 2013 Act does not mandate issuance of notice to persons who acquire land after the publication of a preliminary notification. Acquisition proceedings are in rem, directed against the land, and not in personam. The petitioners, having purchased the land subsequent to the initiation of the acquisition process, cannot insist upon notice or hearing.

16. The respondents contend that Section 24(2) of the RFCTLARR Act, 2013 applies exclusively to acquisitions initiated under the LA Act, 1894 which were pending as on 01.01.2014. In the present case, the earlier acquisition under the LA Act, 1894 stood withdrawn, and the current acquisition

being undertaken under the 2013 Act, Section 24(2) of 2013 Act has no application. Further, it is contended that the Award dated 30.04.2022 was passed in accordance with law, determining compensation payable to the recorded owner, namely one Dhulipala Satyanarayana. Therefore, the petitioners, being *pendente lite* purchasers of land, have no independent entitlement to compensation.

17. We have taken note of the contentions urged and given our anxious consideration to the matter.

18. In the present case, the core issue to determine is whether the petitioners possess the legal capacity to maintain the present challenge to the acquisition proceedings.

19. On a perusal of the material available on record, it unequivocally discloses that all the petitioners purchased their respective parcels of land between the years 2020 and 2023. By that time, the Preliminary Notification under Section 11 of the RFCTLARR Act, 2013, had already been issued on 29.05.2018. Section 11(4) of the 2013 Act expressly prohibits any transfer, sale, purchase or creation of encumbrances in respect of the notified land without the prior approval of the Collector, which admits of no exception. Section 11(4) of the RFCTLARR Act, 2013 is extracted hereunder for ready reference:

Section 11. Publication of preliminary notification and power of officers.-

(4) No person shall make any transaction or cause any transaction of land specified in the preliminary notification

or create any encumbrances on such land from the date of publication of such notification till such time as the proceedings under this Chapter are completed:

20. It is pertinent to note that the petitioners' transactions were undertaken in direct contravention of this statutory bar and without obtaining the prior approval contemplated by law. A transfer made in violation of an express statutory prohibition is void and does not vest any legal rights in the transferee. It is a settled principle that a purchaser after issuance of a notification under Section 4(1) of the Land Acquisition Act, 1894 or its statutory equivalent under Section 11 of the RFCTLARR Act acquires no right to challenge the acquisition and cannot claim to be heard, but merely steps into the shoes of the vendor and must abide by the consequences of the acquisition.

21. The Hon'ble Supreme Court in ***V.Chandrasekaran and others v. The Administrative Officer and others***² has held as under:

Whether subsequent purchaser can challenge the acquisition proceedings:

7. Similarly, in *U.P. Jal Nigam v. Kalra Properties Pvt. Ltd.* MANU/SC/0310/1996 : AIR 1996 SC 1170, this Court held that, purchase of land after publication of a Section 4 notification in relation to such land, is void against the State and at the most, the purchaser may be a person-interested in compensation, since he steps into the shoes of the erstwhile owner and may therefore, merely claim compensation. (See also: *Star Wire (India) Ltd. v. State of Haryana and Ors.* MANU/SC/1799/1996 : (1996) 11 SCC 698).

8. In *Ajay Kishan Singhal v. Union of India* MANU/SC/0675/1996 : AIR 1996 SC 2677; Mahavir and

² MANU/SC/0751/2012 = (2012) 12 SCC 133

Anr. v. Rural Institute, Amravati and Anr. MANU/SC/0763/1995 : (1995) 5 SCC 335; Gian Chand v. Gopala and Ors. MANU/SC/0624/1995 : (1995) 2 SCC 528; and Meera Sahni v. Lieutenant Governor of Delhi and Ors. MANU/SC/7878/2008 : (2008) 9 SCC 177, this Court categorically held that, a person who purchases land after the publication of a Section 4 notification with respect to it, is not entitled to challenge the proceedings for the reason, that his title is void and he can at best claim compensation on the basis of vendor's title. In view of this, the sale of land after issuance of a Section 4 notification is void and the purchaser cannot challenge the acquisition proceedings. (See also: Tika Ram v. State of U.P. MANU/SC/1616/2009 : (2009) 10 SCC 689).

9. In view of the above, the law on the issue can be summarized to the effect that a person who purchases land subsequent to the issuance of a Section 4 notification with respect to it, is not competent to challenge the validity of the acquisition proceedings on any ground whatsoever, for the reason that the sale deed executed in his favour does not confer upon him, any title and at the most he can claim compensation on the basis of his vendor's title.

(emphasis supplied)

22. The doctrine of *lis pendens* as embodied in Section 52 of the Transfer of Property Act squarely applies to the present case, as the land in question had been the subject matter of acquisition proceedings since 2012, and W.P.No.22398 of 2013, involving the same property, has been pending before this Court. Any transfer affected during the pendency of such proceedings is necessarily subject to the outcome of the litigation. Therefore, the petitioners cannot claim the status of *bona fide* purchasers without notice.

23. It is also to be noted that the petitioners do not fall within the definition of "persons interested" under Section 3(x) of the RFCTLARR Act, 2013 as they are neither entitled to notice nor to a hearing nor to compensation. The petitioners entire challenge rests upon transactions that are void in law and incapable of conferring standing. Accordingly, the objection as to *locus standi* strikes at the root of the maintainability of this writ petition.

24. It is to be noted that the RFCTLARR Act, 2013 is a Central enactment and the RFCTLARR (Telangana Amendment) Act, 2016, which inserted Section 10A into the RFCTLARR Act, 2013, received Presidential assent under Article 254(2) of the Constitution and is therefore a valid exercise of legislative competence. G.O.Ms.No.46 dated 20.07.2017, issued pursuant to the said provision, merely exempts specified categories of infrastructure projects of public importance from the rigours of Chapters II and III of the Act, which is neither arbitrary nor unconstitutional, but is grounded in legitimate public interest and legislative policy. Further the Courts have consistently held that such policy choices, made upon legislative assessment of public need and administrative exigency, are not amenable to judicial review unless shown to be manifestly arbitrary, unconstitutional, or *ultra vires* the parent statute.

25. The Apex Court in **Census Commissioner vs. R. Krishnamurthy**³ has dealing with a similar issue as to whether a writ Court can interfere in policy matters and has held as under:

27. In State of M.P. v. Narmada Bachao Andolan and Anr. MANU/SC/0599/2011 : (2011) 7 SCC 639, after referring to the State of Punjab v. Ram Lubhaya Bagga MANU/SC/0156/1998 : (1998) 4 SCC 117, the Court ruled thus:

The Court cannot strike down a policy decision taken by the Government merely because it feels that another decision would have been fairer or more scientific or logical or wiser. The wisdom and advisability of the policies are ordinarily not amenable to judicial review unless the policies are contrary to statutory or constitutional provisions or arbitrary or irrational or an abuse of power. (See Ram Singh Vijay Pal Singh v. State of U.P. MANU/SC/7606/2007 : (2007) 6 SCC 44, Villianur Iyarkkai Padukappu Maiyam v. Union of India MANU/SC/0811/2009 : (2009) 7 SCC 561 and State of Kerala v. Peoples Union for Civil Liberties MANU/SC/1302/2009 : (2009) 8 SCC 46.)

26. It is well-settled that the right to property under Article 300-A, though constitutionally protected, is not an absolute right and is subject to the State's authority to acquire property in the exercise of its power of eminent domain. The petitioners plea based on Article 21 is misconceived, as it does not mandate adherence to a rigid or uniform procedure; rather, it requires that the procedure prescribed by law be fair, just and reasonable. The amended RFCTLARR Act, even in respect of

³ MANU/SC/0999/2014 = (2015) 2 SCC 796

exempted projects, continues to provide for enhanced compensation, rehabilitation and resettlement, and other statutory safeguards. The petitioners have failed to demonstrate as to how the statutory exemption under Section 10A, or the issuance of G.O.Ms.No.46 pursuant thereto, has resulted in any procedure that is arbitrary, oppressive, or violative of the Constitutional guarantees of fairness. Therefore, the G.O.Ms.No.46 constitutes a valid exercise of power under the State Amendment.

27. It is also pertinent to note that each of the three acquisition exercises challenged upon by the petitioners is distinct in origin, purpose, statutory basis and territorial scope for the following reasons:

- i. The 2012-2013 Acquisition (Industrial Park, under the LA Act, 1894) proceedings stood formally withdrawn pursuant to TSIIC's letter dated 01.02.2020, which was accepted by the District Collector. Once withdrawn, they ceased to survive in law and cannot give rise to any overlap.
- ii. The 2017-2022 Acquisition (Hyderabad Pharma City, under the 2013 Act) is an independent and fresh acquisition under a different statute i.e., the RFCTLARR Act as amended by Telangana, therefore, having the earlier proceedings having been withdrawn, no concurrency arises.
- iii. The 2024 Acquisition (Six-lane Road Project) proceedings relate to a distinct public purpose i.e., transport infrastructure and concerns only a small portion (Ac.2.30 gts) of one survey number. Therefore, it

is a separate, complementary acquisition, not an overlapping one.

Thus, the allegation of multiple or overlapping acquisitions over the same land is unfounded and contrary to the documentary record.

28. It is pertinent to note that in regard to the effect of the interim order dated 02.09.2013 passed in W.P. No. 22398 of 2013, the same merely directed that there shall be a stay of dispossession of the writ petitioner's land under the proceedings initiated pursuant to the Land Acquisition Act, 1894. The alleged violation of the interim order dated 02.09.2013 is wholly misconceived and stands rejected for the following reasons:

- i. That the petitioners not being parties to that writ petition cannot derive advantage from an order passed in a proceeding to which they are complete strangers.
- ii. That the interim protection was confined exclusively to the LA Act, 1894 acquisition, wherein it neither interdicted the State from invoking the RFCTLARR Act, 2013 nor created any general embargo against a fresh acquisition under a different statutory framework. Consequent upon the formal withdrawal of the LA Act, 1894 proceedings on 01.02.2020, the interim order ceased to have operative effect.
- iii. That W.P. No. 22398 of 2013 being pending, and the petitioners neither have sought impleadment therein nor approached that Court for clarification or modification of the interim order, as such they cannot enforce, interpret, or expand such an order in a collateral proceeding under Article 226.

29. Though the petitioners heavily placed reliance on **Indore Development Authority** (supra 1), it is wholly misplaced, as that decision interprets Section 24(2) of the RFCTLARR Act, which is attracted only where acquisition proceedings were initiated under the Land Acquisition Act, 1894 and, as on 01.01.2014, either (i) possession had not been taken, or (ii) compensation had not been paid for a period of five years or more. However, in the present case, the statutory preconditions for invoking Section 24(2) being conspicuously absent, and the acquisition initiated in 2012 under the LA Act, 1894 was formally withdrawn in 2020; those proceedings no longer subsist, and the present acquisition being an independent proceeding under the RFCTLARR Act, 2013 (as amended by the State), commenced pursuant to the Preliminary Notification dated 29.05.2018. Thus, the Section 24(2) applies exclusively to acquisition proceedings pending under the LA Act, 1894 as on 01.01.2014, and not to acquisitions initiated under the 2013 Act, and for the said reason the petitioners cannot invoke the benefit of the said provision.

30. It is also pertinent to note that there is no merit in the contention of the petitioners regarding the alleged violation of natural justice, it cannot be stretched beyond the limits of the statutory framework in which they operate. The RFCTLARR Act prescribes public notice through Gazette publication, newspaper

publication, and local dissemination and does not mandate individualised notice to all persons who may subsequently claim an interest in the land. The petitioners having admittedly purchased the land after the issuance of the Preliminary Notification, and in direct contravention of the statutory bar contained in Section 11(4) of the Act, and having entered into such transactions with full knowledge of the cloud of acquisition on the property cannot now assert a right to personal notice or claim any prejudice.

31. Further, the mutation of revenue records in favour of TSIIC after the passing of the Award is a routine and consequential administrative act flowing from the acquisition. Such mutation does not infringe any principle of natural justice, nor does it confer any substantive rights upon the petitioners to challenge the acquisition on that ground.

32. It will not be out of the context to note that the petitioners' contention that the project is intended for transfer to private entities for commercial gain is wholly speculative and unsupported by any material on record. Even the mere involvement of a public-private partnership does not denude the project of its public character, so long as the land vests in the State or is utilised for purposes that ultimately serve public interest.

33. This Court is of the considered view that the petitioners challenge to the 2024 acquisition proceedings is wholly

premature and untenable. The impugned notification is merely a preliminary notification under Section 11 of the RFCTLARR Act, which initiates the process and expressly affords an opportunity to all affected landowners to file objections under Section 15.

34. This Court recognises that land acquisition inherently requires balancing individual rights with the larger public interest, while according due deference to legislative policy and executive assessment of public need. In the present case, the balance clearly favours the public interest. The Hyderabad Pharma City is a project of considerable strategic and economic importance to the State. The petitioners, having purchased the land after the preliminary notification and in violation of the statutory bar, cannot claim the equities of *bona fide* landowners, and entertaining such challenges would incentivise speculative purchases, disrupt planned development, and cause substantial public detriment.

35. For the foregoing reasons elaborately discussed hereinabove, this Court concludes that the petitioners, having purchased the lands subsequent to the statutory embargo contained in Section 11(4) of the RFCTLARR Act, lack the *locus standi* to assail the acquisition proceedings. The G.O.Ms.No.46, dated 20.07.2017, issued under the amended statutory framework, is held to be valid and constitutionally sustainable, and the acquisition proceedings culminating in the Award dated

30.04.2022 are found to be lawful and in strict conformity with the scheme of the RFCTLARR Act. The writ petition is devoid of merits and is liable to be dismissed.

36. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

SD/- AHMED ABDULLAH KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

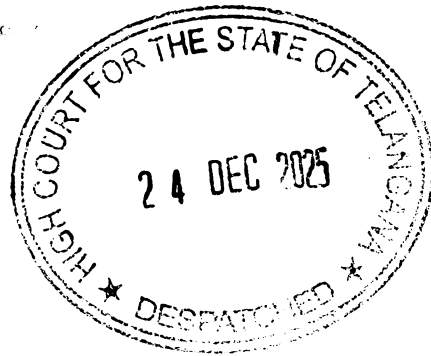
1. One CC to SRI. SISTA VENKATAKAMESWARA SAKETH, Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CCs to GP FOR LAND ACQUISITION, High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CCs to GP FOR HOME High Court for the State of Telangana, at Hyderabad [OUT]
5. One CC to SRI. SRIKANTH REDDY, SC FOR TSIIC [OPUC]
6. Two CD Copies

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HIGH COURT

DATED:08/12/2025



ORDER

WP.No.34797 of 2025

DISMISSING THE WRIT PETITION WITHOUT COSTS

(11)
Kpoc
17/12/25