

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

**MONDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

WRIT APPEAL NO: 587 OF 2026

Writ Appeal under clause 15 of the Letters Patent Filed against the order Dated 07/04/2026 in writ petition No.34738 of 2024 on the file of the High Court.

Between:

1. Adduri Rajendar, S/o. Veeranna, Age 49 years, R/o. H.No.6-14/1.
2. Kolluri Swapna, W/o. Manohar Rao, Age 34 years, H.No.6-32/1.
3. Chilukamari Ramanaiah, S/o. Ramesh, Age 48 years, H.No.5-127.
4. Mudupu Mallaiah, S/o. Rajamallu, Age 60 years, H.No.6-86
5. Kolluri Manohara Rao, S/o.Veeraiah, Age 42 years, H.No.6-32/2.
6. More Anusha, S/o. Ashok, Age 27 years, H.No.5-83

All the Petitioners are residents of Mogullapalli village and Mandal, Warangal District Having agriculture as their main occupation

**.....APPELLANTS/
WRIT PETITIONERS 1, 2, 4, 6, 7 & 10**

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (JA AND LA) Department, Dr. B.R. Ambedkar Secretariat buildings, Hyderabad.
2. District Collector, Jayashankar Bhupalapally District, Bhupalapally, Telangana State.
3. Revenue Divisional Officer cum Competent Authority for Land Acquisition, Bhupalapally Division, Bhupalapally, Jayashankar Bhupalapally District.
4. Mandal Tahsildar, Mogullapalli mandal, Mogullapalli, Jayashankar Bhupalapally 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, 1-8-630. Balasamudram, Hanamkonda -506001.
8. Thipparapu Vani, W/o. Narsinga Rao, Age 50 years, H.No.5-92.
9. Aunoori Ramadevi, W/o.Veeresham, Age 27 years, H.No.9-4-106.
10. ChatlaRajamallu, S/o.Mallaiah, Age 60 years H.No.6-102
11. Rakthani Gopal Rao, S/o. Shankar Rao, Age 60 years, H.No.5-18.
12. Chatla Mahesh, S/o. Rajamallu, Age 32 years, H.No.6-102.

(Respondents 08 to 12 are residents of Mogullapalli village and Mandal, Warangal District Having agriculture as their main occupation)

**.....NOT NECESSARY PARTIES/
WRIT PETITIONERS 03, 05,08, 09, 11**

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 grant an interim stay of the operation of the impugned final order dated 07.04.2026 passed in W.P.No.34738 of 2024 and all further proceedings pursuant thereto, including the dispossession of the Appellants from the subject lands, pending disposal of the writ appeal.

Counsel for Appellants : SRI CH.RAVI KUMAR

**Counsel for Respondent Nos.1 to 4 : SRI E.RAMESH CHANDRA GOUD, GP
FOR LAND ACQUISITION**

**Counsel for Respondent No.5 : SRI N.BHUVANGA RAO, DEPUTY SOLICITOR
GENERAL OF INDIA**

**Counsel for Respondent Nos.6 & 7 : SRI MADISHETTY RAMU, SC FOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA**

Counsel for Respondent Nos.8 to 12 : --

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.587 of 2026

Dated:15.06.2026

Between:

Adduri Rajendar and 5 others.

...Appellants

and

The State of Telangana,
Rep. by its Principal Secretary,
Revenue (JA & LA) Department,
Dr. B.R.Ambedkar Secretariat Buildings,
Hyderabad,
and 11 others.

...Respondents

JUDGMENT:

Learned counsel Sri Ch.Ravi Kumar appears for the appellants.

Sri E.Ramesh Chandra Goud, learned Government Pleader for
Land Acquisition, appears for respondents No.1 to 4.

Sri N.Bhujanga Rao, learned Deputy Solicitor General of India,
appears for respondent No.5.

Sri Madishetty Ramu, learned Standing Counsel for National Highways Authority of India, appears for respondents No.6 and 7.

2. The instant appeal is preferred against the order passed by the learned Single Judge in W.P.No.34738 of 2024, dated 07.04.2026. It is apt to note that out of eleven writ petitioners, six of them have preferred the present appeal.

3. W.P.No.34738 of 2024 was filed seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon’ble Court, in the interest of justice may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 3rd respondent in passing awards u/s. 3G(1) of NH Act, 1956, issuing notices for receipt of compensation and proceeding to take possession of the subject lands of the petitioners in violation of provisions of NH Act 1956 read with the RCTLARR (Removal of Difficulties) Order dt.28.08.2015 and principles of natural justice, without considering the objections of the petitioners and in disregard to the orders of this Hon’ble Court in W.P.No.13484 of 2023, as illegal and unconstitutional and consequently set aside (a) 3A notifications vide S.O.No.1016 dt. 02.03.2021 and S.O.No.1869 dt.19.04.2022, (b) 3D notifications vide S.O.No.814 dt. 22.02.2022 and S.O.No.4780 dt.07.10.2022, (c) awards passed u/s 3G(1) dt. 20.01.2024 and 14.03.2024 and (d) award notices vide R.C.J/69/2021 dt. 16.04.2024 regarding acquisition of subject lands of the petitioners in Mogullapally Village and Mandal of Jayashankar Bhupalapally District, as provided in Annexure-A to the affidavit and that are notified for the proposed NH-163G for the stretch of land from Km. 63.779 to 88.418 (Bhupalapally) in the District of Jayashankar Bhupalapally and pass such further order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

4. In the said writ petition, the appellants/writ petitioners have contended that they are entitled for benefits under Rehabilitation and Resettlement Scheme (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 of 2013') and also the compensation in respect of structures and tress such as bore/open wells/pipelines, standing crop including cotton as per the prevailing market value. It is also apt to note that an interim order restraining the respondents from dispossessing the writ petitioners from their lands was also granted on 10.12.2024 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. By 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 10.12.2024 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 cotton which was damaged. 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, standing crop of cotton etc. Therefore, they have preferred the present writ appeal.

7. During the course of hearing, learned counsel for the parties brought to the notice of this Court the judgment dated 16.04.2026 passed by this Court in W.A.No.434 of 2026 which was preferred by the similarly situated persons as that of the appellants herein. This Court, 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 of 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. This Court 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. Learned counsel for the appellants would submit that in the present case, the subject properties comprises of agricultural land and open spaces, wherein there are bore/open wells/pipelines. standing crop of cotton. In the present case, respondents did not pay any compensation to the appellants in accordance with the provisions of the Act of 2013. Therefore, liberty may be given to the appellants to approach respondent No.2 seeking compensation in accordance with law.

9. Learned counsel appearing for the appellants sought to set aside the award proceedings dated 20.01.2024 and 14.03.2024 also on the ground that the same were passed without affording an opportunity to the appellants even to claim structures including bore/open wells/pipelines, etc.

10. 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 within the reasonable time.

11. Upon hearing learned counsel for the parties and after taking note of the facts and circumstances, this writ appeal is disposed of setting aside the impugned judgment dated 07.04.2026 passed in W.P.No.34738 of 2024. 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 of 2013. Liberty is also granted to the appellants to approach respondent No.2 seeking compensation in respect of structures, trees, bore wells, pipelines, standing crop 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 respondents No.2 and 3 with their respective claims, within one week from today. Upon receipt of the said claims, both respondents No.2 and 3 shall consider and dispose of the same strictly in accordance with law within a period of four 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 respondents No.2 and 3 and respondents No.2 and 3 shall consider the same. 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. The Principal Secretary, Revenue OA AND LA) Department, Dr. B.R. Ambedkar Secretariat buildings, State of Telangana at Hyderabad.
2. The District Collector, Jayashankar Bhupalapally District, Bhupalapally, Telangana State
3. The Revenue Divisional Officer cum Competent Authority for Land Acquisition, Bhupalapally Division, Bhupalapally, Jayashankar Bhupalapally District.
4. The Mandal Tahsildar, Mogullapalli mandal, Mogullapalli, Jayashankar Bhupalapally District
5. The Secretary, Union of India, Ministry of Road, Transport and Highways, New Delhi
6. The Regional Officer, 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, 1-8-630, Balasamudram, Hanamkonda -506001
8. Two CCs to GP FOR LAND ACQUISITION High Court for the State of Telangana, at Hyderabad [OUT]
9. One CC to SRI CH.RAVI KUMAR, Advocate [OPUC]
10. One CC to SRI MADISHETTY RAMU, SC FOR NATIONAL HIGHWAYS AUTHORITY OF INDIA, Advocate (OPUC)
11. One CC to SRI N.BHUJANGA RAO, DEPUTY SOLICITOR GENERAL OF INDIA, Advocate (OPUC)
12. Two CD Copies

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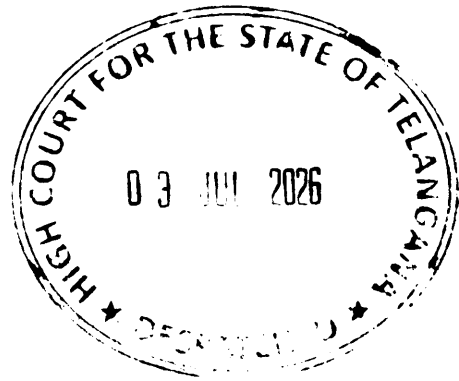
[Handwritten Signature]

HIGH COURT

DATED: 15/06/2026

JUDGMENT

WA.No.587 of 2026



**DISPOSING OF THE W.A
WITHOUT COSTS.**

(15) NT
23/6/26