

Mabbu Rajamma vs The State Of Telangana Rep By Its ... on 1 October, 2026

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

WRIT PETITION Nos.32480 of 2017 and 13980, 16098, 22515
and 37416 of 2018

Date: 01.10.2026

Reserved on: 03.07.2026

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WRIT PETITION No.32480 of 2017
(CNR No.HBHC010665042017)

Between:

Mabbu Rajamma and another

.... Petitioners

AND

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and others

.... Respondents

WRIT PETITION No.13980 of 2018
(CNR No.HBHC010307402018)

Between:

Velpula Varalaxmi and others

.... Petitioners

AND

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and others

.... Respondents

WRIT PETITION No.16098 of 2018
(CRP No.HBHC010346982018)

Between:

Pandula Lingaiah and others

.... Petitioners

AND

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WP_32480_2017 & BATCH

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and others

.... Respondents

WRIT PETITION No.22515 of 2018
(CNR No.HBHC010346982018)

Between:

Peyyala Anil Kumar and others

.... Petitioners

AND

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and others

.... Respondents

WRIT PETITION No.37416 of 2018
(CNR No.HBHC010775312018)

Between:

Mabbu Laxmi

.... Petitioner

AND

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and others

.... Respondents

COMMON ORDER:

Heard Sri Gudi Madhusudhan Reddy, learned counsel appearing on behalf of the petitioners in all the five writ petitions, Sri P. Sri Harsha Reddy, learned Standing Counsel for Singareni Collieries, appearing on behalf of the respondent No.4, and Learned Government Pleader for

Land Acquisition appearing on behalf of respondent No.3. With the consent of the learned counsel -3- VRKR,J WP_32480_2017 & BATCH on either side, the writ petitions are taken up together for final disposal.

2. This batch of five writ petitions arises out of one and the same acquisition. Each of them assails the award passed by the respondent No.3-the Special Deputy Collector, Land Acquisition Unit, Singareni Collieries Company Limited, Godavarikhani, being Award No.1/2016 dated 30.06.2016, passed under the [Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013](#) (Act 30 of 2013) (for short, "the Act of 2013"), consequent upon the declaration published under [Section 19](#) of the said Act vide Proc.No.G1/2455/2013 dated 24.06.2015, which in turn followed the draft notification issued under [Section 4\(1\)](#) of the Land Acquisition Act, 1894 (for short, "the Act of 1894") vide Proc.No.G1/2455/2013 dated 24.08.2013, published in the A.P. Gazette Part-I Extraordinary No.22 dated 10.09.2013. The acquisition covers an extent of Ac.125.36 guntas in Akkepally village, Manthani Mandal, Karimnagar District (presently Peddapalli District), for the purpose of open cast-II expansion of the mining operations of the respondent No.4- the Singareni Collieries Company Limited (for short, "SCCL"). Since the subject matter, the impugned proceedings and the questions of law arising -4- VRKR,J WP_32480_2017 & BATCH for determination are identical, these writ petitions were heard together and are disposed of by this common order.

3. The reliefs sought are these. In W.P.No.32480 of 2017, the petitioners seek a writ of certiorari calling for the records relating to Award No.1/2016 dated 30.06.2016 and setting it aside as arbitrary and violative of [Sections 19\(2\), 21\(4\), 22, 23, 25, 26](#) and [37\(2\)](#) of the 'the Act of 2013 and of [Articles 14, 16](#) and [300-A](#) of the Constitution of India, together with a direction to pay compensation for the structures on Plot Nos.182 and 272 said to have been notified in the declaration but left out of the award.

4. In W.P.No.13980 of 2018, the petitioners seek a writ of mandamus declaring the award No.1/2016, dated 30.06.2016, as arbitrary and illegal, on the ground that it was passed without notice or opportunity of hearing and in violation of the provisions of [Sections 21\(4\), 22, 23, 25, 26](#) and [37\(2\)](#) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. They further contend that their representations seeking remeasurement of the structures were not considered, that permanent and semi-permanent structures were improperly classified, and that compensation for certain structures was omitted. The petitioners consequently seek a direction to the respondents to remeasure the structures and -5- VRKR,J WP_32480_2017 & BATCH determine and pay the consequential compensation by passing a supplementary award, in accordance with law.

5. In W.P.No.16098 of 2018, the petitioners seek a writ of mandamus declaring Award No.1/2016, dated 30.06.2016, as arbitrary and illegal, having been passed without notice or opportunity of hearing and in violation of [Sections 19\(2\), 21\(4\), 22, 23, 25, 26](#) and [37\(2\)](#) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and [Articles 14, 16](#) and [300-A](#) of the Constitution of India. They further seek to set aside the said award and a consequential direction to the respondents to determine and pay proper and fair compensation for the structures covered by the declaration, including compensation towards electrical fittings as assessed by the third respondent, while passing the supplementary award, in accordance with law.

6. In W.P.Nos.22515 and 37416 of 2018, the petitioners seek a writ of certiorari setting aside the award and a direction to the respondents to issue a fresh notification and pass a fresh award, together with a stay of further proceedings and of interference with their possession.

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VRKR,J WP_32480_2017 & BATCH FACTUAL BACKGROUND:

7. The General Manager, Ramagundam Area-III, SCCL, submitted a requisition for acquisition of patta lands to an extent of Ac.130-29 guntas in Akkepally village of Manthani Mandal vide letter No.RG3/EST/P/AKP-3/73, dated 09.03.2011. As per the SD records, the extent of patta land affected was Ac.125.36 guntas, which was attested by the Assistant Director, Survey & Land Records, and communicated vide letter No.A5/27/2013, dated 13.02.2013. After joint inspection with the requisitioning authority, project numbers were allotted to the individual plots and structures.

8. The draft notification under [Section 4\(1\)](#) of the Act, 1894 was approved by the Collector, Karimnagar, vide Proc.No.G1/2455/2013, dated 24.08.2013, and was published in the A.P. Gazette Part-I Extraordinary No.22, dated 10.09.2013, in the two daily newspapers, namely, Andhra Bhoomi (Telugu) and Andhra Jyothi (Telugu), on 11.09.2013, and the substance thereof was published in the locality on 20.09.2013.

9. Notices under [Section 5-A](#) of the Act, 1894 were issued on 05.11.2013, calling for objections with respect to the survey numbers, measurements, structures, trees, the names of the owners and the project numbers, within one month from the date -7- VRKR,J WP_32480_2017 & BATCH of service of the notice. Pursuant thereto, 563 objections were received. The then Special Deputy Collector constituted two teams of officials, who conducted an enquiry not only into the petitions received but also in respect of all the project numbers published in the Gazette, over a period of three months from 05.11.2013 to 04.02.2014.

10. [The Act](#) of 2013 came into force with effect from 01.01.2014. By that date, no declaration under [Section 6](#) and no award under [Section 11](#) of the Act, 1894 had been made in respect of the notified lands. The Government of Telangana, Revenue (JA&LA) Department, issued Memo No.707/LA/2015, dated 27.03.2015, clarifying that where a draft notification had been issued under the Act, 1894 and no draft declaration had been made thereunder as on 01.01.2014, the declaration shall be made under [Section 19](#) of the Act of 2013 within three months from the date of issue of that clarification, and that thereafter the procedure and provisions of the Act of 2013 shall be followed in the land acquisition.

11. In terms of the said clarification, the declaration under [Section 19\(1\)](#) of the Act of 2013 was approved vide Proc.No.G1/2455/2013 and published in the Karimnagar District Gazette No.05, dated 24.06.2015, in the Telugu daily newspapers -8- VRKR,J WP_32480_2017 & BATCH Andhra Bhoomi and Andhra Jyothi on 26.06.2015, and the substance thereof was published in the locality on 02.07.2015.

12. A general notice under [Section 21](#) of the Act of 2013 was issued on 24.12.2015 and published at conspicuous places in the village, calling upon the interested persons to attend the award enquiry. The award enquiry commenced on 24.12.2015 and was finally concluded on 15.06.2016. An errata to the declaration was published in the T.S. Gazette No.07, dated 22.06.2016.

13. The Executive Engineer, Roads & Buildings Department, Peddapalli, furnished the estimates of the structures on 24.05.2016. By letter No.B1/110/2011, dated 20.06.2016, the said estimates were returned to the Executive Engineer with a request to verify the values of the structures which were actually coming under acquisition, by re-verifying the spot, whereupon, after physical inspection, revised estimates were submitted on 29.06.2016. Relying upon the said estimates, Award No.1/2016 was passed on 30.06.2016, determining the compensation for the lands and structures in accordance with [Sections 26](#) and [28](#) of the Act of 2013, applying the multiplier of 1.5 applicable to rural areas in terms of Rule 28 of the Telangana Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2014 read with G.O.Ms.No.50, Revenue -9- VRKR,J WP_32480_2017 & BATCH (JA&LA) Department, dated 19.12.2014, together with solatium and interest.

14. The petitioners contend that they were kept in the dark with regard to the passing of the award, that no notice under [Section 21\(4\)](#) or [Section 37\(2\)](#) was served upon them, and that they came to know of the award only when a copy thereof was obtained by one Sri Mabbu Ramesh under the [Right to Information Act](#) vide Memo No.B1/110/2011, said to have been served on 10.09.2017. Certain writ petitions earlier filed by some of the petitioners were withdrawn with liberty to file fresh writ petitions, and the present batch came to be instituted during the period from 2017 to July, 2018.

15. By interim orders dated 18.06.2018 and 25.06.2018, passed in these and connected writ petitions, this Court stayed the dispossession of the petitioners and observed, prima facie, as follows: "Prima facie, the issuance of [S.19](#) Declaration under Act 30 of 2013 on 24.6.2015, to continue proceedings pursuant to [Section 4\(1\)](#) Notification dt. 10.09.2013 issued under the [Land Acquisition Act, 1894](#), that too much beyond the period of one year fixed for issuing a declaration under [Section 6](#) of Land Acquisition Act, 1894, cannot be sustained. Therefore, prima facie, there could not have been an Award under Act 30 of 2013 on the basis of [Section 4\(1\)](#) -10- VRKR,J WP_32480_2017 & BATCH Notification issued on 10.09.2013. Therefore, there shall be stay of dispossession of the petitioners from the subject property."

16. It is necessary to record what has happened since. During the pendency of the writ petitions, references under [Section 64](#) of the Act of 2013 came to be made before the Authority. The respondent No.3 states that the petitioners had sought such references, and that the references were registered as LAOP No.220 of 2018.

17. Upon due enquiry, the Land Acquisition, Rehabilitation and Resettlement Authority, Hyderabad, passed its Award and Decree dated 07.10.2024 in LAOP No.220 of 2018, allowing the references. By the said award, the Authority has (i) granted an enhancement of 100% on the value of the structures determined in the award; (ii) awarded compensation in respect of the land at Rs.450/- per square yard for the entire extent acquired; (iii) granted solatium at 100% on the total market value of the lands and structures under [Section 30\(1\)](#) of the Act; (iv) granted the additional amount at 12% per annum on the market value of the land from the date of the preliminary notification till the date of the award, i.e., from 10.09.2013 to 30.06.2016, under [Section 30\(3\)](#) of the Act; and (v) granted interest at 9% per annum on the excess compensation for one year from the date of taking possession, i.e., from 01.07.2016 to 30.06.2017, and at 15% per annum for the subsequent period, -11- VRKR,J WP_32480_2017 & BATCH i.e., from 01.07.2017 until the payment of the excess amount. The Authority directed the Land Acquisition

Officer to calculate the amounts in terms of the award and to deposit the same before the Authority, after deducting the amounts already paid to the claimants, within a period of two months.

PARTICULARS OF THE CASE IN EACH WRIT PETITION

18. W.P. No. 32480 of 2017: Petitioner No.1, Mabbu Rajamma, claims an AC house and an AC-sheet house in P.No.182 and also states that another BT house was omitted from the declaration, for which she submitted a representation. Petitioner No.2, Mabbu Odelu, claims an AC house, thatched cattle shed, compound wall, bathroom and toilet in P.No.272. The petitioners contend that the award did not properly provide compensation for the structures mentioned in the declaration, while compensation was determined for certain BT structures which, according to them, were not included in the declaration. Respondent No.3 states that, based on the estimates furnished by the Executive Engineer, amounts of ₹1,06,188 for P.No.182 and ₹1,17,321 for P.No.272 were included in the award; that petitioner No.2 received the amount, while the amount relating to petitioner No.1 was not received and was referred to the Authority. Respondent No.3 further states that the value of the AC-sheet houses was not taken into consideration as -12- VRKR,J WP_32480_2017 & BATCH they were not published in the declaration and denies the claim regarding an additional BT house. In their reply affidavit, the petitioners dispute the respondents' version and contend that the subsequent reference to the Authority under [Section 64](#) in 2018 was made only to defeat the pending writ petition.

19. W.P.No.13980 of 2018: The eight petitioners hold project numbers 15, 42, 43, 138, 144, 188, 265/269 and 426. Their grievance is that structures such as compound walls, cattle sheds, water tanks, bathrooms, wells and a bore well were not valued, that BT houses were classified as semi-permanent instead of permanent structures and AC sheet varandas as temporary, that in some cases only a part of the structure was measured (the petitioner No.2 was awarded Rs.77,794 and the petitioner No.3 Rs.1,58,558, for example), and that they had come to know of the measurements only after obtaining the estimates in the period October 2017 to January 2018. The respondent No.3 states that the values of all structures were paid as per the Executive Engineer's estimates, that the plot at P.No.269 was gifted by the petitioner No.7 to his wife who was paid Rs.1,71,221, and that the petitioners Nos.1 to 8 approached the Authority in LAOP No.220/2018.

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20. W.P.No.16098 of 2018: The sixteen petitioners hold project numbers 39, 76, 146, 185, 186, 191, 225 and 226, 258, 381, 403, 425, 436, 508, 509 and 555 (the petitioner No.8 is stated to have died). They content petitioner-wise that the Executive Engineer and his team measured and valued their structures in the first instance, for instance Rs.10,19,274 (petitioner No.1), Rs.10,14,274 (petitioner No.2), Rs.12,86,832 (petitioner No.9) and Rs.12,02,552 (petitioner No.15), whereas the award, based on revised estimates obtained one day before it on 29.06.2016 without the signature of the Assistant Executive Engineer, adopted much lower values, for example Rs.5,45,387, Rs.7,30,355, Rs.2,67,441 and Rs.6,28,355 respectively, with electrical fittings excluded and areas reclassified from permanent to semi-permanent or temporary. They

also claim that second houses (for example P.No.146A, 191 part, 403/1, 425/1 and 508/A) were left out.

21. W.P.No.22515 of 2018: The nine petitioners hold project numbers 379, 418, 485, 190, 222, 546, 69, 426 and 431. They contend that structures were omitted or under-valued, for example that for Project.No.485 the first estimate was Rs.17,07,892 and the area 104.55 square metres, but the award adopted Rs.10,90,095 and an area of 92.04 square metres, and that for P.No.222 the first estimate of Rs.11,24,213.28 became an award of Rs.6,05,000. -14-

VRKR,J WP_32480_2017 & BATCH They allege that on 26.06.2018 the respondents visited the village and asked them to vacate for demolition.

22. W.P. No.37416 of 2018:The petitioner, Mabbu Laxmi, claims rights over Project No.189, comprising a BT house measuring 8.40 × 5.50 metres, a thatched pandiri, compound wall and trees, and alleges that an AC-sheet house was omitted from the assessment and that a revised structural valuation was obtained without notice to her. Respondent No.3 disputes these allegations and states that, after re-verification by the Executive Engineer, R&B, the structures were valued at ₹6,42,534 and the trees at ₹10,935, and that compensation aggregating to ₹16,64,059 was paid to the petitioner under acquittance. Respondent No.3 also denies that its officials or SCCL staff directed the petitioner to vacate the premises.

SUBMISSIONS ON BEHALF OF THE PETITIONERS

23. It is respectfully submitted that the respondent No.3 issued the notification under [Section 4\(1\)](#) of the Land Acquisition Act, 1894, proposing acquisition of an extent of 125.36 acres situated at Akkepally Village, Manthani Mandal, Karimnagar District. The petitioners submit that the acquisition proceedings were initiated under the [Land Acquisition Act, 1894](#), but the subsequent -15- VRKR,J WP_32480_2017 & BATCH proceedings were not completed in accordance with the statutory requirements governing the acquisition.

24. It is further submitted that the Draft Declaration was not issued within the statutory period of one year from the date of publication of the [Section 4\(1\)](#) notification. The Draft Declaration under [Section 19](#) of the Act 2013 was ultimately issued on 24.06.2015 pursuant to Memo No.707/LA/2015 dated 27.03.2015. The said memo itself contemplated that, where no Draft Declaration had been made as on 01.01.2014, the declaration was required to be made under [Section 19](#) of the Act, 2013 within three months from the date of issuance of the said memo. However, the declaration in the present case was issued only on 24.06.2015. The petitioners therefore submit that the issuance of the said declaration was contrary to the statutory scheme and the proceedings are consequently vitiated.

25. It is submitted that respondent No.3 passed the award on 30.06.2016, contrary to the mandatory requirement contained in [Section 25](#) of the Act 2013. The declaration under [Section 19](#) was published on 24.06.2015 and, therefore, the award ought to have been made within twelve months therefrom. In the event of failure to make the award within the prescribed period, the acquisition proceedings are liable to lapse, subject to the statutory provision -16- VRKR,J WP_32480_2017 & BATCH permitting extension of the period. Such extension, however, requires a decision of the Government to be recorded and notified and uploaded on the website of the concerned authority. In the present case, there is no reference whatsoever either in the

award or in the counters filed by the respondents to any order or decision extending the statutory period. The petitioners therefore submit that the award dated 30.06.2016 is liable to be held unsustainable for having been made beyond the prescribed period.

26. It is further submitted that the market value of the acquired land has not been determined in accordance with the statutory requirements. [Section 26](#) of the Act 2013 contemplates determination of the market value with reference to the date prescribed under the Act. In the present case, there was no notification under [Section 11](#) of the Act, 2013. The petitioners rely upon the clarification issued by the Government of India vide D.O. No.13013/01/2014-LRD (Pvt.) dated 26.10.2015, stated to have been issued under [Section 113](#) of the Act 2013, whereby the relevant date for determination of market value under [Section 24\(1\)\(a\)](#) was clarified as 01.01.2014. The said interpretation was also considered in the proceedings referred to by the petitioners, including W.P.(C) No.15804 of 2016 and W.P. No.44731 of 2016 before the Allahabad High Court and was stated to have been -17- VRKR,J WP_32480_2017 & BATCH upheld by the Hon'ble Supreme Court in Civil Appeal No.1462 of 2019 dated 05.02.2019. However, in the present case, Respondent No.3 determined the market value by taking the preceding three years from the date of the [Section 4\(1\)](#) notification, namely, the period from 09.09.2010 to 10.09.2013, instead of determining the market value with reference to the legally applicable date. The petitioners further submit that the respondents adopted an acre- based rate instead of a square-yard basis, notwithstanding that houses and structures situated on the acquired land were also involved, thereby resulting in substantial prejudice and inadequate compensation to the petitioners.

27. It is further submitted that the valuation of the houses and other structures was also undertaken in an arbitrary and inconsistent manner. The award enquiry had been concluded on 15.06.2016, and initially the Executive Engineer (R&B), Peddapally, submitted the structural valuation on 24.05.2016. However, respondent No.3, while passing the award, relied upon another structural valuation report submitted by the Executive Engineer on 29.06.2016, i.e., only one day prior to the passing of the award, instead of considering the valuation prepared during the earlier enquiry in the presence of the petitioners. -18-

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28. The petitioners submit that this subsequent valuation substantially reduced the compensation payable to them. For instance, in respect of Petitioner No.1, Project No.39, the valuation in the first report, which was signed by three authorities, assessed the value of the structures at Rs.10,19,274/-, whereas the subsequent report, signed only by two authorities, assessed the same at Rs.5,45,387/-. Further, the value towards internal and external electrification, assessed at Rs.86,580/-, was not included in the subsequent report. The petitioners submit that the respondents thereby ignored the actual structures existing on the acquired land and adopted valuations without any proper basis, resulting in serious and substantial financial prejudice to the petitioners. Having concluded the award enquiry on 15.06.2016, the respondents could not have arbitrarily relied upon a valuation report prepared only on 29.06.2016, without affording the petitioners an effective opportunity to question the same.

29. It is further submitted that the mandatory notices contemplated under [Sections 21\(4\)](#) and [21\(5\)](#) of the Act, 2013 were not served upon the petitioners. None of the respondents have placed

on record or filed copies of the alleged notices issued under the said provisions. Although the award refers generally to a notice under [Section 21](#) said to have been issued on 24.12.2015, there is -19- VRKR,J WP_32480_2017 & BATCH no specific reference to, or proof of service of, the notices contemplated under [Sections 21\(4\)](#) and [21\(5\)](#). The failure to issue and serve the mandatory statutory notices has deprived the petitioners of their valuable opportunity to participate effectively in the acquisition proceedings and to raise objections in respect of the compensation and other matters contemplated under the Act.

30. It is respectfully submitted that even after passing the award, respondent No.3 failed to comply with the mandatory requirement of communicating the award to the persons interested. [Section 37\(2\)](#) of the Act 2013 casts an obligation upon the Land Acquisition Officer to issue notice immediately after the award is made. In the present case, the respondents admittedly did not communicate the award immediately. On the contrary, notice under [Section 37\(2\)](#) was served only in November 2016, and even then the copy of the award was not furnished to the petitioners. The petitioners further submit that the requirements relating to service and payment contemplated under [Section 30\(2\)](#) were also not duly complied with and the individual persons interested were not properly served. Such failure has caused serious prejudice to the petitioners in effectively pursuing their statutory remedies.

31. It is further submitted that after the petitioners approached this Hon'ble Court by filing the present writ petitions and interim -20- VRKR,J WP_32480_2017 & BATCH orders were granted, the matter was subsequently referred to the Land Acquisition, Rehabilitation and Resettlement Authority (LARA) without there being any application by the petitioners seeking a reference under [Section 64](#) of the Act, 2013. The said reference was numbered as LAOP No.220 of 2018, and the learned Authority passed an order dated 07.10.2024. The petitioners submit that the said proceedings did not consider several material aspects raised by the petitioners concerning the validity of the acquisition proceedings, determination of market value, valuation of structures, statutory notices and other consequential issues. The respondents have also failed to comply with the said order and have not paid the enhanced compensation payable to the petitioners.

32. In view of the aforesaid circumstances, the petitioners submit that the acquisition proceedings and the award suffer from violations of the mandatory provisions of the Act, 2013, including the provisions relating to issuance of declaration, limitation for passing the award, determination of market value, valuation of structures, issuance and service of statutory notices, and communication of the award. The petitioners therefore submit that they are entitled to the appropriate reliefs in accordance with law, -21- VRKR,J WP_32480_2017 & BATCH including consequential benefits and payment of the compensation lawfully due to them.

SUBMISSIONS ON BEHALF OF THE RESPONDENT NO.3

33. A counter-affidavit has been filed on behalf of the respondent No.3. The averments therein, and the submissions of the learned Government Pleader founded upon them, may be summarised as follows.

34. The learned counsel appearing for respondent No.3, referring to the counter-affidavit filed by the said respondent, would submit that the acquisition proceedings were initiated pursuant to the requisition submitted by the General Manager, RG-III, SCCL, for acquisition of lands

situated in Akkepalli Village, Manthani Mandal. Though the requisition was initially made for Acs.130-29 guntas, on verification of the survey records, an extent of Acs.125- 36 guntas was found to be patta land affected by the acquisition. After joint inspection with the requisitioning authority, project numbers were allotted and proposals for issuance of Draft Notification under [Section 4\(1\)](#) of the Act 1894 were submitted to the Collector, Karimnagar. The Draft Notification was approved by the Collector and published in the Gazette on 10.09.2013. -22-

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35. It is further submitted that, as no declaration under [Section 6](#) of the Act 1894 was made as on 01.01.2014, the subsequent proceedings were required to be governed by the provisions of the [Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013](#). Reliance is placed upon Government Memo No.707/LA/2015, dated 27.03.2015, which, according to Respondent No.3, clarified that in cases where a Draft Notification had been issued under the [Land Acquisition Act, 1894](#) but no declaration had been made as on 01.01.2014, the declaration was to be made under [Section 19](#) of the Act. It is stated that accordingly the Draft Declaration was published in the District Gazette on 24.06.2015.

36. With regard to the time taken in issuing the declaration, it is submitted that the Draft Notification under [Section 4\(1\)](#) of the Act 1894 had been published in the Gazette on 10.09.2013 and that the declaration under [Section 19](#) of the Act 2013 was subsequently published in the Gazette on 24.06.2015. Respondent No.3 contends that the aforesaid course was adopted pursuant to the Government Memo dated 27.03.2015 and that the declaration was therefore not rendered invalid merely because no declaration under [Section 6](#) of the old Act had been made within one year of the [Section 4\(1\)](#) notification.

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37. It is further submitted that notices under [Section 5-A](#) of the Act 1894 were issued on 05.11.2013 calling for objections relating, inter alia, to survey numbers, measurements, structures, trees, ownership and project numbers. According to Respondent No.3, as many as 563 applications/objections were received and two teams of officials were constituted to enquire into the objections and verify the project numbers. The enquiry was stated to have been conducted between 05.11.2013 and 04.02.2014, following which the declaration was published.

38. On the question of the date relevant for computing the period prescribed for making the award, respondent No.3 submits that the declaration under [Section 19](#) of the Act 2013 was published in the Gazette on 24.06.2015, in the newspapers on 26.06.2015 and that its substance was published in the locality on 02.07.2015. It is contended that, reckoning the period from 02.07.2015, the award dated 30.06.2016 was passed within the period prescribed under [Section 25](#) of the RFCTLARR Act.

39. Insofar as the structures situated on the acquired lands are concerned, respondent No.3 submits that the Executive Engineer, Roads and Buildings Department, Peddapalli, undertook physical verification and furnished estimates relating to the structures. It is stated that the initial estimates were subsequently returned for re- -24-

VRKR,J WP_32480_2017 & BATCH verification, as certain structures were considered to have been valued excessively or were not found to be actually coming within the acquisition. Pursuant thereto, the Executive Engineer conducted further physical verification and furnished revised estimates, which were taken into consideration while passing the award.

40. It is further submitted that certain constructions and electrical fittings were raised after publication of the declaration and, therefore, such subsequent constructions were not included in the declaration or award. Respondent No.3 accordingly disputes the allegation that structures existing at the relevant time were deliberately omitted from the award.

41. With regard to notice of the award enquiry, Respondent No.3 submits that general notice under [Section 21](#) of the Act 2013, was issued on 24.12.2015 and published at conspicuous places in the village, calling upon the interested persons to submit their claims and objections and to attend the award enquiry. It is stated that the award enquiry was conducted and concluded on 15.06.2016. After passing of the award dated 30.06.2016, notices under [Section 37\(2\)](#) of the Act 2013, were issued to the awardees and copies of the award were communicated to them. On this basis, Respondent No.3 disputes the allegation that the petitioners were not afforded -25- VRKR,J WP_32480_2017 & BATCH an opportunity of participating in the award enquiry or that the award was not communicated to them.

42. As regards the prayer for passing of a supplementary award in respect of structures allegedly omitted from the award, Respondent No.3 places reliance upon [Section 33](#) of the Act. It is submitted that the said provision empowers the Collector to correct clerical or arithmetical mistakes or errors arising in the award, subject to the conditions prescribed therein. According to Respondent No.3, [Section 33](#) does not contemplate the passing of a supplementary award in respect of structures which were not included in the original award. It is further submitted that no clerical or arithmetical error was found in the award in the present case and, therefore, no correction under [Section 33](#) was warranted.

43. With regard to determination of compensation, Respondent No.3 submits that, since no award had been passed under [Section 11](#) of the Act 1894 before the commencement of the Act 2013, the provisions of the new Act relating to determination of compensation were applied. It is stated that the market value was determined with reference to the sale statistics obtained from the concerned Sub-Registrar offices for the preceding three years from the date of the Draft Notification dated 10.09.2013. -26-

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44. According to Respondent No.3, the sale transactions in Akkepally Village were examined in accordance with [Section 26](#) of the RFCTLARR Act. It is stated that the average value arrived at in respect of the relevant residential land was approximately Rs.7,14,216/- per acre and that, in respect of agricultural land, the average value was approximately Rs.1,67,508/- per acre. The applicable multiplication factor for rural areas was thereafter applied in accordance with the statutory provisions and the Telangana Rules. Respondent No.3 submits that the resultant compensation, together with the statutory benefits, was incorporated in the award.

45. Respondent No.3 further submits that the valuation of structures was undertaken by the Executive Engineer, R&B, Peddapalli, on the basis of physical verification and the applicable

departmental guidelines, taking into account the nature and age of the structures. The values so furnished were incorporated in the award and paid to the respective awardees. In relation to the individual petitioners, Respondent No.3 refers to the structures and amounts included in the award and contends that the compensation determined towards the structures had been paid.

46. It is also submitted that the allegations of arbitrary determination of compensation or mala fide exercise of power are -27- VRKR,J WP_32480_2017 & BATCH denied. According to respondent No.3, the land compensation was determined on the basis of sale statistics obtained from the competent Sub-Registrar offices, while the compensation towards structures was determined on the basis of estimates furnished by the Executive Engineer, R&B, Peddapalli. It is therefore contended that the award was passed in accordance with the provisions of the Act 2013 and the applicable Rules.

47. On the issue of rehabilitation and resettlement, Respondent No.3 submits that the process was being undertaken by the Revenue Divisional Officer, Manthani, under the supervision of the competent authorities. It is therefore contended that the allegations regarding non-compliance with the rehabilitation and resettlement provisions cannot be attributed to respondent No.3.

48. Respondent No.3 accordingly maintains that the acquisition proceedings, publication of the declaration, conduct of the enquiry, determination of the market value, assessment of structures, passing of the award and payment of compensation were all undertaken in accordance with the statutory scheme. It is his specific contention that there was no violation of [Sections 19, 21, 22, 23, 24, 25, 26, 30, 33](#) or 37 of the Act 2013, nor any violation of the constitutional rights pleaded by the petitioners. -28-

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49. On the aforesaid basis, respondent No.3 seeks dismissal of the writ petitions, contending that the allegations made by the petitioners are without substance and that the impugned acquisition proceedings and award do not warrant interference by this Court.

SUBMISSIONS ON BEHALF OF RESPONDENT NO.4

50. Learned counsel appearing for respondent No.4 would submit that the structures claimed by the petitioners were inspected and verified by the staff of respondent No.5 in the presence of the petitioners, and the values of the structures available at the relevant time were accordingly determined and incorporated in the award. It is submitted that the structures of the petitioners were already recorded and assigned Project Nos.182 and 272 respectively and were reflected in the acquisition proceedings. The allegation that the respondents deliberately omitted the petitioners' structures is therefore denied.

51. Learned counsel would further submit that, after publication of the declaration and before passing of the award, several persons, including the petitioners, constructed new temporary structures and thereafter represented for inclusion of such structures in the award. According to respondent No.4, about 60 to 70 awardees had made such claims. The structures existing at the time of inspection -29- VRKR,J WP_32480_2017 & BATCH and verification were valued by the competent authorities and compensation was awarded accordingly. The subsequent claim for inclusion of newly constructed or allegedly missing structures, therefore, cannot be treated as a ground to invalidate the award dated 30.06.2016.

52. Learned counsel would submit that the award was passed only after notice and award enquiry. Notice was issued on 24.12.2015 and the enquiry continued up to 15.06.2016. The structures were further verified by respondent No.5, including on the representations made by the awardees, up to 29.06.2016, and only thereafter, upon receipt of the final report, the award was passed on 30.06.2016. It is therefore contended that the allegation that the petitioners were denied an opportunity of being heard or that the award was passed without verification is factually incorrect.

53. Learned counsel would further submit that [Section 33](#) of the Act of 2013 permits correction of clerical or arithmetical errors in the award and does not, according to the respondents, provide for inclusion of entirely new structures by way of a supplementary award after the award has been passed. The petitioners, therefore, cannot seek to reopen the concluded award merely by styling their claim as correction of an omission.

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54. Learned counsel would also submit that the petitioners themselves sought reference under [Section 64](#) of the Act of 2013 in respect of the measurement and quantity of their houses and for determination of reasonable compensation for their lands and structures. The reference was numbered as LAOP No.220 of 2018 before the LARR Authority for the State of Telangana. The Authority thereafter passed an award granting additional compensation and statutory benefits in respect of the structures. Respondent No.4 disputes the basis and quantum of such enhancement and states that an appeal under [Section 74](#) of the Act of 2013 has been preferred challenging the said award. It is therefore contended that the compensation-related grievances raised in the writ petition have subsequently been subjected to adjudication under the statutory mechanism provided by the Act.

55. Learned counsel would further submit that the petitioners received the compensation awarded by the Land Acquisition Officer under protest and thereafter pursued the statutory reference under [Section 64](#). On that basis, it is contended that, insofar as the writ petition seeks determination of compensation for the structures and land, the subsequent proceedings before the LARR Authority have rendered such grievance academic.

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56. Learned counsel would finally submit that the petitioners have been extended the rehabilitation and resettlement benefits contemplated under the Act, including developed house sites and basic amenities, and that monetary benefits under the rehabilitation and resettlement scheme have also been paid. It is contended that the petitioners, having received compensation and rehabilitation benefits, cannot continue to obstruct the respondents from utilising the acquired land for the mining project. According to respondent No.4, the interim order protecting possession has prevented the respondent-Company from utilising the acquired land and extending the mining operations, and therefore the interim order is liable to be vacated and the writ petition dismissed.

SUBMISSIONS ON BEHALF OF RESPONDENT NO.5

57. It is submitted that the draft declaration was issued by respondent No. 3 on 24.06.2015 and Award No.1/2016 came to be passed on 30.06.2016. The allegation of the petitioners that the respondents acted arbitrarily, according to their whims and fancies, or deliberately ignored structures and electrical fittings is specifically denied. The award was passed on the basis of the material, survey particulars and valuation estimates available on -32- VRKR,J WP_32480_2017 & BATCH record and in accordance with the procedure followed by the competent authorities.

58. Respondent No. 5 submits that the valuation of the structures was undertaken by the Roads & Buildings Department on the basis of the requisition, information and survey reports furnished by respondent No. 4. Pursuant thereto, the Deputy Executive Engineer, Roads & Buildings Sub-Division, Manthani, and the Assistant Executive Engineer, Roads & Buildings Section, Manthani, prepared the requisite estimates in accordance with the applicable Government Orders and the particulars made available by the concerned authorities.

59. It is submitted that the valuation of the houses and other structures was carried out in accordance with G.O.Ms.No.14, T, R&B (Bldgs. A1) Department, dated 25.03.2015, which prescribed guidelines for estimation of the cost of houses/structures falling within acquisition proceedings for the purpose of determining compensation under the [Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013](#). The Roads & Buildings Department acted upon the said guidelines while preparing the valuation estimates.

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60. It is further submitted that, while undertaking the valuation, the concerned authorities also had regard to G.O.Ms.No.50, Revenue (JA&LA) Department, dated 19.12.2014, and G.O.Ms.No.291, Irrigation (Projects Wing) Department, dated 05.08.1992, insofar as applicable to the preparation and assessment of the value of the structures. The valuation was accordingly worked out after taking into consideration the relevant parameters, including depreciation, with a view to arriving at the assessed value of the structures in accordance with the prescribed norms.

61. The allegation that respondent No. 5 or the other respondents failed to follow the prescribed procedure or acted with any mala fide intention is wholly denied. Respondent No. 5 discharged his functions in his official capacity and caused the estimates to be prepared in accordance with the applicable Government Orders, technical guidelines and the material furnished by the concerned authorities. There was neither any arbitrary exercise of power nor any deliberate omission on the part of Respondent No. 5 in the preparation of the structural valuation.

62. The contention of the petitioners regarding omission of structures and electrical fittings is denied insofar as it is alleged that such omission was deliberate, arbitrary or contrary to law. -34-

VRKR,J WP_32480_2017 & BATCH The valuation and assessment were undertaken on the basis of the survey reports, requisitions and information furnished during the acquisition proceedings and in accordance with the applicable technical and governmental guidelines. The petitioners cannot, merely on the basis of an assertion of a higher valuation, attribute mala fides or illegality to the statutory authorities.

63. It is therefore submitted that the writ petition is liable to be dismissed as against respondent No. 5, there being no illegality, procedural irregularity or mala fide action established against him. Respondent No. 5 accordingly prays that this Hon'ble Court may be pleased to dismiss the writ petition and pass such other order or orders as it may deem fit and proper in the circumstances of the case.

POINTS FOR CONSIDERATION

64. Having heard the learned counsel appearing on either side and having perused the material placed on record, the following points arise for consideration in these writ petitions:

(i) Whether the land acquisition proceedings initiated under [Section 4\(1\)](#) of the Land Acquisition Act, 1894, by notification dated 10.09.2013, would be governed by the provisions of the [Land Acquisition Act, 1894](#) or the Right to Fair Compensation and Transparency in Land -35- VRKR,J WP_32480_2017 & BATCH Acquisition, Rehabilitation and Resettlement Act, 2013, particularly when no award under [Section 11](#) of the 1894 Act had been passed as on 01.01.2014?

(ii) Whether the petitioners are entitled to challenge the compensation determination notwithstanding the subsequent [Section 64](#) references and the Authority's Award dated 07.10.2024?

(iii) Whether the assessment and valuation of the structures, including the alleged omission of certain structures and electrical fittings and the subsequent revised estimates furnished by the Executive Engineer, Roads and Buildings Department, suffer from such procedural or substantive illegality as would warrant interference with the award in exercise of jurisdiction under [Article 226](#) of the Constitution of India?

ANALYSIS AND FINDINGS

65. Before considering the individual grievances of the petitioners, it would be appropriate to consider the legal effect of the transition from the [Land Acquisition Act, 1894](#) to the [Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013](#). Admittedly, the notification under [Section 4\(1\)](#) of the Act of 1894 was issued and published before the Act of 2013 came into force. However, as on -36- VRKR,J WP_32480_2017 & BATCH 01.01.2014, no award under [Section 11](#) of the Act of 1894 had been passed.

66. In the present case, the [Section 4\(1\)](#) notification was published on 10.09.2013. The acquisition proceedings had, therefore, commenced prior to 01.01.2014. The record further discloses that notices under [Section 5-A](#) of the Act of 1894 were issued on 05.11.2013, as many as 563 objections were received and an enquiry was conducted by the officials between 05.11.2013 and 04.02.2014. Thus, this is not a case where there was no action whatsoever pursuant to the [Section 4\(1\)](#) notification before the commencement of the Act of 2013.

67. The subsequent proceedings were taken after the coming into force of the Act of 2013. The Government of Telangana issued Memo No.707/LA/2015 dated 27.03.2015, pursuant to which the declaration under [Section 19](#) of the Act of 2013 was issued and published on 24.06.2015. Thereafter, the award enquiry was conducted and Award No.1/2016 came to be passed on 30.06.2016.

68. The petitioners have questioned the legality of the continuation of the acquisition proceedings, particularly on the ground that no declaration under [Section 6](#) of the Act of 1894 was -37- VRKR,J WP_32480_2017 & BATCH made within one year from the date of publication of the [Section 4\(1\)](#) notification and that, consequently, the subsequent declaration under [Section 19](#) of the Act of 2013 could not have been issued on the basis of the earlier notification. The respondents, on the other hand, have relied upon the transitional position and the Government Memo dated 27.03.2015 to contend that, since no declaration under [Section 6](#) of the Act of 1894 had been made as on 01.01.2014, the subsequent declaration was required to be made under [Section 19](#) of the Act of 2013.

69. The above rival contentions have to be considered in the backdrop of the subsequent events which have occurred during the pendency of these writ petitions. In particular, the compensation disputes raised by the petitioners did not remain confined to the original award proceedings. The petitioners' claims came to be referred under [Section 64](#) of the Act of 2013 to the Land Acquisition, Rehabilitation and Resettlement Authority, Hyderabad, and the said references were registered as LAOP No.220 of 2018.

70. The Authority, after conducting an enquiry, passed its Award and Decree dated 07.10.2024. This subsequent adjudication is of considerable significance because the principal and substantial grievance raised by the petitioners in these writ petitions concerns -38- VRKR,J WP_32480_2017 & BATCH the determination and adequacy of compensation payable towards the acquired land and structures.

71. It is, therefore, necessary to examine the nature of the grievances raised by the petitioners and the effect of the subsequent adjudication by the statutory Authority before considering whether the original award is liable to be interfered with in exercise of the jurisdiction under [Article 226](#) of the Constitution of India.

72. The principal grievance in W.P.Nos.32480 of 2017, 13980 of 2018, 16098 of 2018, 22515 of 2018 and 37416 of 2018 relates to the valuation of structures. The petitioners contend that the first estimates furnished by the Executive Engineer, R&B, were subsequently revised, that certain structures were omitted, that permanent structures were classified as semi-permanent or temporary, and that electrical fittings were not included in the final valuation.

73. The record, however, shows that the Executive Engineer, R&B Department, initially furnished estimates on 24.05.2016. The Land Acquisition Officer thereafter returned the estimates on 20.06.2016 for re-verification as to whether the structures valued were actually falling within the acquisition. Pursuant thereto, -39- VRKR,J WP_32480_2017 & BATCH physical verification was undertaken and revised estimates were furnished on 29.06.2016. The award dated 30.06.2016 was based upon the revised estimates.

74. The fact that the revised estimates were furnished one day prior to the award, by itself, cannot render the revised estimates legally invalid. The relevant consideration is whether the competent technical authority was entitled to undertake such verification and whether the revised assessment was based upon physical inspection and the applicable technical guidelines. The counter- affidavit of respondent No.3 specifically states that the revised estimates were prepared after physical verification. Respondent No.5 has further stated that the valuation was undertaken

in accordance with the applicable Government Orders, including G.O.Ms.No.14 dated 25.03.2015, G.O.Ms.No.50 dated 19.12.2014 and the relevant technical guidelines.

75. The material placed by respondent No.4 also indicates that the award enquiry was not concluded immediately upon issuance of the notice dated 24.12.2015. According to the counter-affidavit, the enquiry continued up to 15.06.2016 and the structures were thereafter verified, including on the representations of the awardees, up to 29.06.2016, followed by submission of the final report and passing of the award on 30.06.2016. -40-

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76. Thus, the record discloses that the authorities continued to examine the claims concerning the structures even shortly before the award. In that factual background, the allegation that the award was mechanically passed without considering the petitioners' claims or without any opportunity to place their objections cannot be accepted merely because the final revised estimates were furnished shortly before the award.

77. This Court, while exercising jurisdiction under [Article 226](#) of the Constitution of India, cannot, merely because two different estimates exist, substitute one technical valuation for another. Interference would be warranted only where the subsequent valuation is shown to be without jurisdiction, based on irrelevant considerations, demonstrably perverse or arrived at in violation of a mandatory statutory requirement.

78. In the present case, the petitioners have pointed out differences between the initial and revised estimates. They have also placed reliance upon particular instances where, according to them, the valuation was substantially reduced, certain structures were reclassified and electrical fittings were omitted. However, the existence of a difference between two technical estimates does not, without more, establish mala fides or arbitrariness. -41-

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79. The respondents have furnished an explanation that the revised estimates were preceded by re-verification of the structures actually falling within the acquisition. The technical assessment was made by the competent engineering authority and the award incorporated the revised estimates. Whether a particular structure existed on the relevant date, whether it fell within the acquired area, whether it was permanent, semi-permanent or temporary, the appropriate extent of the structure and whether a particular item such as electrical fittings was liable to be included are matters which involve factual and technical determination.

80. The allegation regarding electrical fittings stands on the same footing. The petitioners assert that electrical fittings were assessed in the earlier estimates but omitted from the revised estimates. The respondents, however, dispute the entitlement to compensation in respect of such items and contend that the assessment was made on the basis of the structures and material found during verification.

81. Such disputed questions of fact and technical valuation cannot, in the absence of clear perversity or violation of a mandatory statutory provision, form the basis for quashing the entire award. More particularly, this Court would not be justified in undertaking a fresh technical valuation exercise in proceedings -42- VRKR,J WP_32480_2017 & BATCH under [Article 226](#)

when the dispute concerning compensation has subsequently been subjected to the statutory adjudicatory mechanism under [Section 64](#) of the Act of 2013.

82. The same principle applies to the individual grievances raised by the petitioners in respect of Project Nos.39, 76, 146, 185, 186, 191, 225, 226, 258, 381, 403, 425, 436, 508, 509, 555 and the other project numbers referred to in the pleadings. The differences in the estimates and the claims regarding omitted structures essentially concern the extent, nature, classification and value of individual structures.

83. The material circumstance which now assumes significance is that the petitioners' claims relating to compensation were subsequently subjected to the statutory remedy provided under [Section 64](#) of the Act of 2013. The references were registered as LAOP No.220 of 2018 before the Land Acquisition, Rehabilitation and Resettlement Authority, Hyderabad.

84. The Authority, after due enquiry, passed its Award and Decree dated 07.10.2024. By the said Award and Decree, the Authority granted enhancement of 100% on the value of the structures determined in the original award. It further determined the compensation in respect of the acquired land at Rs.450/- per -43- VRKR,J WP_32480_2017 & BATCH square yard for the entire extent acquired and granted the statutory benefits, including solatium at 100% on the total market value of the lands and structures, the additional amount at 12% per annum and interest on the excess compensation in accordance with the provisions of the Act.

85. Therefore, the principal grievance of the petitioners regarding the inadequacy of compensation has not remained unadjudicated. On contrary, the very subject matter of their grievance concerning the quantum of compensation was placed before the statutory Authority and has been culminated in a reasoned adjudication and decree.

86. Once the statutory remedy under [Section 64](#) has been invoked and the competent Authority has adjudicated the compensation dispute, this Court, in exercise of jurisdiction under [Article 226](#), would not ordinarily undertake a parallel adjudication of the same dispute. The statutory scheme itself provides a mechanism for determination of disputes concerning compensation. The petitioners have already approached that forum and obtained an Award and Decree.

87. The fact that the petitioners have raised individual grievances relating to the measurements of the structures, their -44- VRKR,J WP_32480_2017 & BATCH classification, the alleged omission of certain structures or electrical fittings, and the variation between the initial and revised estimates does not alter the nature of the dispute. Though couched as separate objections, all these contentions essentially relate to the determination and quantification of compensation payable for the acquired properties. Such matters necessarily involve questions of factual assessment, technical valuation and appreciation of the material relating to the nature, extent and value of the structures acquired.

88. Therefore, the mere existence of a dispute with regard to the valuation adopted by the Land Acquisition Officer cannot, by itself, furnish a ground for exercising the extraordinary jurisdiction under [Article 226](#) of the Constitution to undertake a fresh determination of compensation, particularly when the statute provides a specific mechanism for adjudication of such disputes.

89. The petitioners contend that they did not voluntarily seek the reference and that the reference was made during the pendency of the writ petitions. Even assuming such contention to be correct, the fact remains that the Authority has adjudicated the compensation dispute and passed an Award and Decree dated 07.10.2024. The existence of the said adjudication is a subsequent event which this Court cannot ignore while deciding whether the -45- VRKR,J WP_32480_2017 & BATCH original award should now be quashed on the basis of grievances concerning compensation.

90. The validity, correctness or otherwise of the Award and Decree dated 07.10.2024 is not the subject matter of challenge in these writ petitions. Consequently, this Court is not required, and indeed would not be justified, to examine the correctness of the findings recorded by the statutory Authority or to undertake a fresh determination of the compensation payable to the petitioners.

91. If the petitioners are aggrieved by the Award and Decree dated 07.10.2024, including the quantum of enhancement, the valuation adopted by the Authority, the structures considered or omitted, or any other determination affecting their entitlement, it is open to them to avail the statutory remedy available under the Act in accordance with law.

92. The rights of the petitioners arising out of the Award and Decree dated 07.10.2024 are, therefore, preserved. The dismissal of these writ petitions would not extinguish any right or remedy available to the petitioners under the said Award and Decree or under the Act of 2013. If any amount has been found payable to them and has not been deposited or paid, they are at liberty to pursue the remedies available to them in accordance with law. -46-

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93. The prayer for a "supplementary award" also cannot be granted in the manner sought by the petitioners. [Section 33](#) of the Act of 2013 is concerned with correction of clerical or arithmetical mistakes or errors in the award. It cannot be treated as a provision enabling the reopening of the entire technical valuation or substitution of a fresh assessment merely because the claimant disputes the valuation adopted in the original award.

94. In any event, the statutory mechanism for adjudicating disputes relating to compensation was available to the petitioners under [Section 64](#) and has, in the present case, actually been invoked. The Authority has considered the claims and has granted enhancement. Therefore, there is no justification for directing the Land Acquisition Officer to undertake a parallel exercise by way of a supplementary award in respect of matters which substantially concern the quantum of compensation.

95. It is also necessary to distinguish between the challenge to the legality of the acquisition proceedings and the challenge to the quantum or adequacy of compensation. The latter has already been subjected to statutory adjudication. The fact that the petitioners have obtained an enhancement before the Authority demonstrates that their compensation grievance was capable of -47- VRKR,J WP_32480_2017 & BATCH being and has in fact been adjudicated through the statutory mechanism.

96. The subsequent Award and Decree dated 07.10.2024 therefore constitutes a material circumstance while considering the relief sought in these writ petitions. The Court is not required

to reopen every individual claim relating to structures when the compensation dispute has already culminated in a statutory adjudication.

97. This Court is, therefore, of the view that the grievances concerning inadequacy of compensation, valuation of structures, alleged omission of structures and electrical fittings and the differences between the initial and revised estimates do not warrant interference with Award No.1/2016 in these writ proceedings. The petitioners have already availed the statutory remedy under [Section 64](#) and the competent Authority has adjudicated their claims and enhanced the compensation.

98. In view of the aforesaid discussion, this Court finds no ground to exercise its extraordinary jurisdiction under [Article 226](#) of the Constitution of India for setting aside Award No.1/2016 dated 30.06.2016 or for directing initiation of fresh acquisition proceedings.

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99. Accordingly, all the writ petitions are dismissed. However, the dismissal of these writ petitions shall not preclude the petitioners from availing the statutory remedies available to them in respect of the Award and Decree dated 07.10.2024 passed by the Land Acquisition, Rehabilitation and Resettlement Authority in LAOP No.220 of 2018, if they are aggrieved by any part thereof, or from enforcing the rights flowing therefrom, in accordance with law.

100. It is made clear that this Court has not expressed any opinion on the correctness, legality or otherwise of the Award and Decree dated 07.10.2024, and all contentions available to the petitioners in any proceedings arising therefrom are left open

101. There shall be no order as to costs.

102. Consequently, miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

VAKITI RAMAKRISHNA REDDY, J Date:
01.10.2026 AS