HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

WRIT PETITION No.26649 of 2009

Date: 28.07.2026

Between:

Vangeti Satyanarayana Reddy and others …. Petitioners

AND

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

ORDER:

This Writ Petition, filed under Article 226 of the Constitution of India, questions the action of the respondents in taking possession of and utilising the petitioners' land admeasuring Ac.0-11 guntas in Survey No.1066 of Bhongir Village and Mandal, Yadadri Bhuvanagiri District (formerly Nalgonda District) for construction of the Area Hospital, Bhongir, without initiating acquisition proceedings or paying compensation, and seeks a consequential direction for payment of compensation in accordance with law.

2. Heard Sri K. Buchi Babu, learned counsel for the petitioners, and Ms. Katta Radha Reddy, learned Assistant Government Pleader for Land Acquisition appearing for the respondents. Perused the available record.

FACTS IN BRIEF:

3. The facts giving rise to the present writ petition are largely undisputed and may briefly be stated.

4. According to the petitioners, petitioner No.1 purchased an extent of Ac.0-11 guntas in Survey No.1066 of Bhongir Village and Mandal from one Yada Chandrapaul under an unregistered sale deed dated 16.03.1978 for valuable consideration and was delivered possession of the property. Since the transaction was evidenced by an unregistered document, petitioner No.1 invoked the provisions of Section 5-A of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, “the 1971 Act”) read with Rule 22 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 (for short, “the 1989 Rules”), seeking validation of the transaction. The Revenue Divisional Officer, Bhongir, by proceedings in Rc.No.D/2265/1981 dated 19.03.1982, validated the transaction, determined the deficit stamp duty payable and, upon its payment through Challan No.760, mutation was effected in favour of the petitioners. Their names thereafter continued to find place in the revenue records maintained by the authorities.

5. The petitioners allege that, during the year 1995, the respondents took possession of the subject land and constructed the Area Hospital, Bhongir, without initiating proceedings for

compulsory acquisition and without payment of compensation. On noticing the utilisation of their land, they submitted representations requesting payment of compensation and also issued a legal notice dated 22.08.2009. In response, the Revenue Divisional Officer informed them that the land was found to be covered by the Area Hospital and that clarification had been sought from the requisitioning department. In the counter affidavit filed before this Court, the respondents have admitted that the subject land is covered by the Area Hospital and have further stated that no requisition proposals were received from the requisitioning department and, consequently, no acquisition proceedings were initiated in respect of the said land.

6. The writ petition was initially allowed by this Court by order dated 12.06.2014. The respondents sought review principally on the ground that no Form 13-B had been issued in respect of Survey No.1066 and, therefore, the petitioners had not established their entitlement to the property. By order dated 24.08.2017, the review petition was allowed, the earlier order was recalled and the writ petition was restored for fresh consideration on merits, leaving all questions open.

7. Thus, the controversy lies within a narrow compass. The petitioners contend that the statutory validation of the transaction

under Section 5-A of the 1971 Act, the payment of deficit stamp duty, the consequential mutation and the continued revenue entries establish their entitlement to the subject property and that the respondents could not have deprived them of the same without following the procedure established by law. The respondents, on the other hand, seek to resist the claim principally on the ground that no Form 13-B certificate was issued in respect of the subject property. It is in the light of these rival stands that the submissions of the learned counsel require consideration.

SUBMISSIONS:

8. Sri K. Buchi Babu, learned counsel for the petitioners, submitted that petitioner No.1 had lawfully purchased the subject property under an unregistered sale deed dated 16.03.1978 and, in accordance with the statutory scheme under Section 5-A of the 1971 Act, the transaction was duly validated by the Revenue Divisional Officer. Pursuant thereto, the deficit stamp duty determined by the competent authority was paid, mutation was effected in the revenue records and the petitioners' names continued to be reflected therein. It was contended that once the competent statutory authority had validated the transaction and recognised the petitioners' rights, the absence of issuance of Form 13-B, which is only a consequential document under the Rules, cannot defeat the rights already accrued under the statute. Learned

counsel further submitted that the respondents themselves have admitted that the subject land has been utilised for construction of the Area Hospital and that no acquisition proceedings were ever initiated. Such deprivation of property, it was argued, is ex facie contrary to Article 300-A of the Constitution of India. It was therefore prayed that the respondents be directed to initiate acquisition proceedings under the applicable law and pay compensation together with all statutory benefits.

9. *Per contra*, the learned Assistant Government Pleader for Land Acquisition submitted that although the proceedings dated 19.03.1982 validating the transaction are available on record, no Form 13-B was issued in favour of the petitioners in respect of Survey No.1066. According to the learned Assistant Government Pleader, in the absence of such certificate, the petitioners cannot claim a legally enforceable right over the subject property. It was, however, fairly not disputed that the subject land is presently occupied by the Area Hospital, Bhongir. It was also not disputed that no proceedings for compulsory acquisition were initiated in respect of the subject land.

10. In reply, the learned counsel for the petitioners submitted that the entire defence of the respondents rests only upon the alleged non-issuance of Form 13-B. He contended that the statutory

proceedings validating the transaction have neither been cancelled nor questioned before any competent forum. The payment of deficit stamp duty and the consequential mutation in the revenue records remain undisputed. It was therefore submitted that the respondents cannot rely upon the omission of their own authorities to issue a consequential certificate so as to defeat rights which had already accrued to the petitioners under the statute.

11. Having considered the rival submissions and upon perusal of the material available on record, the following points arise for determination:

(i) Whether the validation proceedings dated 19.03.1982 issued under Section 5-A of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, read with Rule 22 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989, together with payment of deficit stamp duty and mutation in the revenue records, confer a legally enforceable right upon the petitioners notwithstanding the non-issuance of Form 13-B?

(ii) Whether the respondents could have taken possession of and utilised the petitioners' land for construction of the Area Hospital without initiating acquisition proceedings or paying compensation, and, if not, to what relief are the petitioners entitled?

ANALYSIS AND FINDINGS:

On Point No. (i)

12. The first point for determination concerns the legal effect of the proceedings dated 19.03.1982 issued under Section 5-A of the 1971 Act and whether the absence of Form 13-B is sufficient to defeat the petitioners' claim. Since the respondents rest their defence almost entirely on the non-issuance of Form 13-B, it is necessary to examine the statutory scheme governing validation of alienations and the consequences flowing therefrom.

13. Section 5-A of the 1971 Act was introduced to provide statutory recognition to alienations effected through unregistered documents, subject to fulfilment of the prescribed conditions. The provision empowers the designated authority to enquire into such transactions, determine their genuineness, validate the alienation upon payment of the requisite stamp duty and registration fee, and thereafter direct consequential changes in the Record of Rights. The object of the provision is to regularise genuine transactions and confer legal recognition upon them, notwithstanding the absence of a registered instrument.

> *"[5-A Regularisation of certain alienations or other transfers of lands:-*
>
> *(1) Notwithstanding anything contained in this Act, the Transfer of Property Act, 1882, the Registration Act, 1908 or any other law for the time being in force, where*

the name of any person is recorded as an occupant in the Record of Rights by virtue of an alienation or transfer made or effected otherwise than by registered document, the alienee or the transferee may, within such period as may be prescribed, apply to the Mandal Revenue Officer for a certificate declaring that such alienation or transfer is valid.

(2) On receipt of such application, the Mandal Revenue Officer shall, after making such enquiry as may be prescribed require the alienee or the transferee to the deposit in the office of the Mandal Revenue Officer an amount equal to the registration fees and the stamp duty that would have been payable had the alienation or transfer been effected by a registered document to accordance with the provisions of the Registration Act, 1908 as fixed by the registering officer on a reference made to him by the Mandal Revenue Officer on the basis of the value of the property arrived at in such manner as may be prescribed:

Provided that the Mandal Revenue Officer shall not require the alienee or the transferee to deposit the amount under this sub-section unless he is satisfied that the alienation or transfer is not in contravention of the provisions of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973, the Urban Land (Ceiling and Regulation) Act,1976 the Andhra Pradesh Scheduled areas Land Transfer Regulation, 1959 and the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977.

(3) Nothing contained in sub-section (1) and sub-section (2) shall be deemed to validate any alienation where such alienation is in contravention of the provisions of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973, the Urban Land (Ceiling and Regulation) Act, 1976 the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 and the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977.

(4) The Mandal Revenue Officer on deposit of an amount specified in sub-section (2), shall issue a certificate to the alienee or the transferee declaring that the alienation or transfer is valid from the date of issue of certificate and such certificate shall, not with evidence of such alienation or transfer as against the alienor or transferor or any person claiming interest under him.

(5) The recording authority, shall on the production of the certificate issued under sub-section (2) make any entry in the pass book to the effect that the person whose name has been recorded as an occupant is the owner of the property.]

(6) The Mandal Revenue Officer shall have the power to correct clerical errors, if any, in the Pass Book."

14. Rule 22 of the 1989 Rules prescribes the procedure to be followed while exercising the power under Section 5-A. It contemplates issuance of notice, conduct of enquiry, determination of the deficit stamp duty and registration charges payable, collection

thereof and carrying out consequential changes in the revenue records. The Rule also refers to issuance of Form 13-B upon completion of the prescribed procedure.

> *"Rule - 22. Regularisation of certain alienations or transfers of land.*
>
> *(1) The Mandal Revenue Officer shall issue a general Notification in Form No. IX, calling for applications from the persons who are recorded as occupants in Adangal/ Pahani Patrika or in Record of Rights prepared earlier by virtue of an alienation or transfer made or effected otherwise than by registered document for declaring such alienation as valid. Such notification shall be published in the District Gazette which the village is situated and also in the following manner, namely.*
>
> *(i) by affixture in the chavadi or if there is no chavadi, in any other conspicuous place of the village;*
>
> *(ii) by affixture on the notice boards at the Gram Panchayat office, Primary Agricultural Co-operative Society and school if any;*
>
> *(iii) by beat of tom tom in the village;*
>
> *(iv) by affixture on the notice board of the Mandal Revenue Officer having jurisdiction over the village; and;*
>
> *(v) by affixture on the notice board of office of the Mandal Praja Parishad in which the village is situated.*

[33][(2) The alienee or transferee shall file application in Form X on or before 31-10-1998 on the notification issued under sub-rule (1), to the Mandal Revenue Officer, provided the alienation/transfer took place before 31-7-1989.]

(3) On receipt of the application under sub-section (2) of Section 5-A of the Act, the Mandal Revenue Officer shall issue notice to the alien or transferor in Form No. XI specifying therein the date on which and the time at which he proposes to enquire into the application, he shall also cause to issue a notice in Form No. XII to all other persons believed to be interested in the land specifying therein, date, time and place at which he proposes to enquire into the application. Only un-registered documents shall be considered under Section 5-A of the Act.

(4) On the day so appointed or any other day to which the enquiry may be adjourned by him, shall, the Mandal Revenue Officer after hearing the parties and on examining their documents and witnesses, if any, and after taking such further evidence as he may consider necessary to satisfy himself that the alienation or transfer is not in contravention of any the provisions of the Acts referred to in rule 9(i)(a)(iv) complete the enquiry.

(5) (i) After completion of the enquiry under sub-rule (4) above, the Mandal Revenue Officer shall require the alienee or the transferee under Section 5(A) of the Act, to deposit through a challan in the treasury

an amount equal to the registration fee and stamp duty that would have been payable had the alienation or transfer been effected by a registered document in accordance with the provisions of the Indian Registration Act, 1908 as fixed by the registering officer on a reference made to him by the Mandal Revenue Officer in Form No. XIII-A, on the basis of the value of the property arrived. within the time fixed by the Mandal Revenue Officer, not exceeding one month from the date of the communication and receipt of the order.

Provided that in case the Mandal Revenue Officer considers it expedient he may grant further extension of time:

(ii) On the deposit of the amounts through a challan in the treasury as under Clause (i), the Mandal Revenue Officer shall issue a certificate in Form No. XIII-b as required under sub-section (4) of Sec. 5-A of the Act to the alience or the transferee declaring that alienation or transfer is valid from the date of issue of certificate.

(iii) A copy of every such certificate shall be communicated in Form XIII-C by the Mandal Revenue Officer to the Sub-Registrar having jurisdiction over the area in which the land in respect of which the Certificate has been granted is situate and the Sub-Registrar shall file the certificate in the relevant registration records and index them after ensuring

collection or registration fee and stamp duty from the party under Clause (i).

(6) The Recording Authority shall on production of the certificate issued under sub-section (4) of Section 5-A of the Act make an entry in the Record of Rights in Forms 1 and IB to the effect that the person whose name has been recorded as an occupant is the owner of the property from the date of the issue of the said certificate. The Recording Authority and the Mandal Revenue Officer shall make necessary entries in the Record of Rights in land in Forms 1 and IB under proper attestation and referencing to files of the Mandal Revenue Officer.

(7) Thereafter a [34] [title deed and pass book] shall be issued to the occupant in the category of owner Pattadar"

15. A combined reading of Section 5-A and Rule 22 makes it evident that the substantive power to validate an alienation is conferred by the statute, whereas the Rules merely prescribe the procedural mechanism for implementing that statutory power. The validation proceedings passed by the competent authority constitute the operative decision recognising the transaction. The subsequent acts, including collection of the deficit stamp duty, mutation in the revenue records and issuance of Form 13-B, are consequential steps intended to give effect to that decision.

16. In the present case, the original record produced before this Court discloses that the Revenue Divisional Officer, Bhongir, by proceedings in Rc.No.D/2265/1981 dated 19.03.1982, accepted the petitioners' application under Section 5-A, validated the transaction and directed payment of the deficit stamp duty. It is equally undisputed that the amount so determined was paid by the petitioners through Challan No.760, whereafter mutation was effected and the petitioners' names were incorporated in the revenue records. These facts are borne out from the official records themselves and are not seriously disputed by the respondents.

17. The respondents do not contend that the proceedings dated 19.03.1982 were obtained by fraud or misrepresentation. They do not dispute the competence of the Revenue Divisional Officer to pass the said proceedings. Nor is it their case that the validation proceedings were ever cancelled, modified or set aside by any competent authority or Court. Consequently, the proceedings have attained finality and continue to remain operative.

18. The sole objection raised by the respondents is that Form 13-B was not issued in respect of the subject property. In the considered opinion of this Court, such an objection cannot be accepted. Form 13-B is only a document issued in implementation of the statutory order already passed under Section 5-A. It is

evidentiary and consequential in nature. The source of the petitioners' rights is not Form 13-B, but the statutory proceedings validating the transaction. Once the competent authority has exercised the power conferred by Section 5-A and the consequential statutory requirements have been complied with, non-issuance of a consequential form cannot render the substantive proceedings ineffective.

19. Accepting the respondents' contention would lead to anomalous consequences. It would imply that, notwithstanding a valid statutory order, payment of the deficit stamp duty and mutation effected by the revenue authorities themselves, the rights recognised under the statute would stand defeated merely because the authorities omitted to issue a consequential certificate. Such an interpretation would enable the State to take advantage of its own omission, a consequence which can never be countenanced in law.

20. It is equally significant that the respondents have not pleaded that the subject property is Government land, assigned land, poramboke or land vested in the State under any statutory enactment. No proceedings have been placed before this Court showing cancellation of the validation proceedings or mutation entries. Likewise, there is no material indicating that any third party has asserted a rival title to the property or questioned the

petitioners' entitlement before any competent forum. The challenge is, therefore, confined solely to the absence of Form 13-B.

21. Revenue entries, by themselves, may not confer title. However, where such entries are the direct consequence of statutory proceedings recognising an alienation and those proceedings have attained finality, they constitute significant evidence supporting the petitioners' lawful possession and recognised entitlement. In the present case, the mutation entries are not independent of the validation proceedings but flow directly therefrom, thereby reinforcing the petitioners' claim.

22. For all the aforesaid reasons, this Court holds that the proceedings dated 19.03.1982 issued under Section 5-A of the 1971 Act, read with the consequential payment of deficit stamp duty and mutation effected pursuant thereto, constitute a valid recognition of the petitioners' rights in respect of the subject property. The mere non-issuance of Form 13-B, in the absence of any challenge to the statutory proceedings themselves, does not invalidate the petitioners' claim nor does it furnish a legal defence to the respondents.

23. ***Finding on Point No.(i):***

Accordingly, Point No.(i) is answered in favour of the petitioners by holding that the non-issuance of Form 13-B does not nullify or diminish the legal effect of the validation proceedings dated 19.03.1982 passed under Section 5-A of the 1971 Act. The petitioners' entitlement, as recognised by the competent authority and reflected in the consequential revenue records, cannot be defeated on that ground alone.

24. **Finding on *Point No. (ii)***

Having held that the petitioners' entitlement to the subject property stands recognised under the statutory proceedings dated 19.03.1982, the next question that arises is whether the respondents could have taken possession of and utilised the land for construction of the Area Hospital without initiating acquisition proceedings or paying compensation.

25. The factual position on this aspect admits of little controversy. The respondents have specifically admitted in their counter affidavit that, upon verification by the Mandal Surveyor, the subject land admeasuring Ac.0-11 guntas in Survey No.1066 is covered by the Area Hospital, Bhongir. Equally significant is the categorical statement that no requisition proposals were received from the requisitioning department and, consequently, no acquisition proceedings were initiated in respect of the subject land. Thus, the respondents themselves acknowledge both the utilisation of the

petitioners' land for a public purpose and the absence of any proceedings authorising such deprivation.

26. Article 300-A of the Constitution declares that no person shall be deprived of his property save by authority of law. Though the right to property is no longer a fundamental right, it continues to enjoy constitutional protection as a valuable constitutional and human right. The expression "authority of law" in Article 300-A necessarily postulates a valid legal process authorising deprivation of property. Executive action unsupported by law cannot satisfy this constitutional mandate.

27. In the present case, the respondents do not claim that possession of the land was taken with the consent of the petitioners. They do not rely upon any acquisition proceedings under the Land Acquisition Act, 1894, nor do they assert that possession was taken under any other statutory provision. The admitted position, therefore, is that the petitioners' land has been permanently utilised for construction of a public hospital without recourse to any procedure recognised by law.

28. The legal position is no longer *res integra*. In *Vidya Devi v. State of Himachal Pradesh*[1], the Hon'ble Supreme Court held that

[1] (2020) 2 SCC 569

the State cannot appropriate private property without following the procedure established by law and without payment of compensation. The Court emphatically observed that the constitutional guarantee under Article 300-A prohibits the State from dispossessing a citizen by executive fiat, however laudable the public purpose may be. The State, being a welfare State governed by the rule of law, is under a corresponding obligation to compensate the owner whenever private property is taken for a public purpose. The relevant paragraphs are extracted hereunder:

> *"12.2. The right to property ceased to be a fundamental right by the Constitution (Forty Fourth Amendment) Act, 1978, however, it continued to be a human right in a welfare State, and a Constitutional right under Article 300A of the Constitution. Article 300A provides that no person shall be deprived of his property save by authority of law. The State cannot dispossess a citizen of his property except in accordance with the procedure established by law. The obligation to pay compensation, though not expressly included in Article 300A, can be inferred in that Article. To forcibly dispossess a person of his private property, without following due process of law, would be violative of a human right, as also the constitutional right under Article 300A of the Constitution."*

> *"12.9 In a democratic polity governed by the rule of law, the State could not have deprived a citizen of their property without the sanction of law. Reliance is placed on the judgment of this Court in Tukaram Kana Joshi & Ors. v. M.I.D.C. & Ors. wherein it was held that the State must comply with the procedure for acquisition, requisition, or any other permissible statutory mode. The State being a welfare State governed by the rule of law cannot arrogate to itself a status beyond what is provided by the Constitution."*

29. In *Hari Krishna Mandir Trust v. State of Maharashtra*[2], the Honourable Supreme Court reiterated that the State cannot assert dominion over private property merely because it has been put to public use. The Court held that where the State occupies or utilises private land without lawful acquisition, the owner cannot be deprived of his constitutional protection under Article 300-A, and the State is bound to regularise the deprivation in accordance with law by payment of compensation. The relevant paragraphs are reiterated hereunder:

> *"96. The right to property may not be a fundamental right any longer, but it is still a constitutional right under Article 300-A and a human right, as observed by this Court in Vimlaben Ajitbhai Patel v. Vatslaben Ashokbhai Patel. In view of the mandate of Article 300-A of the Constitution of India, no person is to be deprived of his property save by the authority of law. The appellant Trust cannot be deprived of its property save in accordance with law.*
>
> *97. Article 300-A of the Constitution of India embodies the doctrine of eminent domain, which comprises two parts: (i) possession of property in the public interest; and (ii) payment of reasonable compensation. As held by this Court in a plethora of decisions, including State of Bihar v. Project Uchcha Vidya, Sikshak Sangh; Jilubhai Nanbhai Khachar v. State of Gujarat; Bishambhar Dayal Chandra Mohan v. State of U.P., the State possesses the power to take or control the property of the owner for the benefit of the public. When, however, a State so acts, it is obliged to compensate the injury by making just compensation, as held by this Court in Girnar Traders v. State of Maharashtra."*

---

[2] (2020) 9 SCC 356

30. In *Dharnidhar Mishra (D) and another v. State of Bihar and others*[3], the Hon'ble Supreme Court held that though the right to property is no longer a fundamental right, it continues to be a constitutional and human right under Article 300-A. The Court reiterated that no person can be deprived of his property except by authority of law and that the State must strictly follow the statutory procedure for acquisition before taking possession of private property. It was further held that the obligation to pay just and fair compensation is implicit in Article 300-A. The Court held at paragraph Nos.18 and 23, which are reiterated as under:

> *"18. The right to property ceased to be a fundamental right by the Constitution (Forty-Fourth Amendment) Act, 1978, however, it continued to be a human right in a welfare State, and a constitutional right under Article 300-A of the Constitution. Article 300-A provides that no person shall be deprived of his property save by authority of law. The State cannot dispossess a citizen of his property except in accordance with the procedure established by law. The obligation to pay compensation, though not expressly included in Article 300- A, can be inferred in that Article.*
>
> *23. In Tukaram Kana Joshi v. MIDC reported in (2013) 1 SCC 353, this Court held that the State must comply with the procedure for acquisition, requisition, or any other permissible statutory mode. The State being a welfare State governed by the rule of law cannot arrogate to itself a status beyond what is provided by the Constitution."*

31. The principles emerging from the aforesaid decisions apply squarely to the facts of the present case. The respondents have

[3] 2024 INSC 415

utilised the petitioners' land for establishing an Area Hospital, which undoubtedly serves an important public purpose. However, the public purpose underlying the utilisation of the land cannot dispense with the constitutional obligation to acquire the land in accordance with law or to compensate the owner. The constitutional guarantee under Article 300-A operates irrespective of the nature of the public purpose.

32. It is also pertinent to note that the respondents have not disputed the existence of the hospital over the subject land. Having permanently utilised the land for a public institution, restoration of possession is neither practicable nor sought by the petitioners. The relief claimed is confined to payment of lawful compensation, which is the only appropriate constitutional remedy in the facts and circumstances of the case.

33. The admitted failure of the respondents to initiate acquisition proceedings cannot be permitted to defeat the petitioners' constitutional entitlement. A public authority cannot retain private property indefinitely without the sanction of law merely because the property has already been utilised for a public purpose. Such a course would be plainly inconsistent with Article 300-A and the rule of law.

34. ***<u>Finding on Point No.(ii)</u>***

Accordingly, Point No.(ii) is answered in favour of the petitioners by holding that the respondents' action in taking possession of and utilising the petitioners' land for construction of the Area Hospital without initiating acquisition proceedings or paying compensation is violative of Article 300-A of the Constitution of India. The petitioners are, therefore, entitled to compensation in accordance with law together with all consequential statutory benefits.

<u>CONCLUSION:</u>

35. To summarise, this Court held that the validation proceedings dated 19.03.1982 passed under Section 5-A of the 1971 Act continue to hold the field and that the non-issuance of Form 13-B does not impair their legal efficacy. The respondents have admittedly utilised the petitioners' land for construction of the Area Hospital without initiating acquisition proceedings or paying compensation. Such deprivation, unsupported by any statutory authority, cannot withstand the mandate of Article 300-A of the Constitution. The petitioners are consequently entitled to be compensated in accordance with law.

RESULT AND DIRECTIONS:

36. In view of the findings recorded on the points for determination, this Court is of the considered opinion that the respondents have utilised the petitioners' land admeasuring Ac.0-11 guntas in Survey No.1066 of Bhongir Village and Mandal for construction of the Area Hospital without initiating proceedings for compulsory acquisition and without payment of compensation. Such deprivation of property, dehors any authority of law, cannot be sustained in view of the constitutional mandate embodied in Article 300-A of the Constitution of India.

37. Accordingly, the Writ Petition is allowed.

38. The respondents are directed to initiate and complete appropriate proceedings for acquisition of the subject land, if not already initiated, under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, for the purpose of determining and paying compensation to the petitioners.

39. While determining such compensation, the respondents shall extend to the petitioners all statutory benefits to which they are entitled under the applicable law, including solatium, interest and other consequential benefits, if admissible.

40. The entire exercise shall be completed as expeditiously as possible and, in any event, within a period of six (06) months from the date of receipt of a copy of this order.

40. There shall be no order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

VAKITI RAMAKRISHNA REDDY, J

Date: 28.07.2026
AS