IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

W P. No. 13980 of 2021

Between:

1 Madduri Ratnaiah, S/o. Late Madduri Nagaiah ,Aged. 60 years, Occ. Agriculture, R/o. H.No 74/6 Narsingi Village, Gandipet Mandal, Ranga Reddy District.

2. Madduri Raghu, S/o. Late Madduri Nagaiah, Aged. 58 years, Occ. Agriculture, R/o. H. No. 74/6 Narsingi Village Gandipet Mandal, Ranga Reddy District.

3. Madduri Dasaratha, S/o Late Madduri Nagaiah Aged about 48 years Occ Agriculture R/o H No 74/6 Narsingi Village Gandipet Mandal Ranga Reddy District.

4. Smt Madduri Narasamma, W/o Late Madduri Jagan Aged about 47 years Occ Agriculture R/o H No 673 Narsingi Village Gandipet Mandal Ranga Reddy District.

5. Madduri Bikshapathi, S/o Late Madduri Jagan Aged about 30 years Occ Agriculture R/o H No 673 Narsingi Village Gandipet Mandal Ranga Reddy District

…..Petitioners

AND

1. The State of Telangana Rep by its

Principal Secretary Energy Department Secretariat Hyderabad.

2. The Chief General Manager Master Plan

TSSPDCL Mint Compound Hyderabad.

3. The Superintending Engineer Office of Operation Cyber City Circle Nanal Nagar Mehdipatnam TSSPDCL Ranga Reddy District Hyderabad.

4. The Divisional Engineer Operations Ibrahimbagh Manikonda Cyber City Circle Ranga Reddy District Hyderabad.

5. The Assistant Engineer Operations Ibrahim Bagh SubDivision Ibrahim Bagh Division Cyber City Circle Ranga Reddy District Hyderabad.

6. The State of Telangana Rep by its

Chief Secretary Revenue Secretariat Hyderabad.

7. The District Collector Ranga Reddy at Lakdikapool Hyderabad.

8. The Additional Collector Ranga Reddy At Lakdikapool Hyderabad.

9. The Tahsildar Gandipet Mandal Ranga Reddy District

……Respondents

COUNTER AFFIDAVIT FILED BY RESPONDENTS 2-5

I Charan Singh S/o. Ramokoty age: 42 years Occ: Assistant Divisional Engineer, Operation, Ibrahimbagh, TSSPDCL, do here by solemnly affirm and state on oath as follows:

I am working as Assistant Divisional Engineer, Ibrahimbagh, TSSPDCL, Hyderabad and well acquainted with the facts of the case and I am authorized to Swear this affidavit on behalf of Respondents 1-4.

1. It is submitted that the writ petition is filed for declaring the action of the respondents in trying to dispossess the petitioners from the land admeasuring Ac .18. 14 gts in Sy No .290 situated at Puppalaguda Village Gandipet Mandal Ranga Reddy District under the pretext establishment of substation without following due process of law as illegal arbitrary and violation of the Article 14 21 and 300A of the Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioners in respect of land admeasuring Ac .18. 14 gts in Sy No. 290 situated at Puppalaguda Village Gandipet Mandal Ranga Reddy District without following due process of law.

2.It is submitted that these Respondents are not aware about the claims of the Petitioners and the land being government land the respondents 7 to 9 have to answer the same.

3.It is submitted that due to heavy demand for power in the Gandipet Area due to the construction of commercial buildings and new residential colonies the Respondents on technical assessment of the required load felt that the new 33/11KV substation has to be constructed near the said area. The Superintending Engineer has requested the District Collector to allot Ac.01.00 of Government land. The District Collector has directed the Tahsildhar Gandipet to identify Ac.01.00 Government Land. The Tahsildhar has submitted report that the land bearing Sy.No. 290 totally admeasuring Ac. 18.24 gts, of Puppalguda Village, Gandipet Mandal is classified as Sarkari and that Ac. 01.00 is available and vacant and free from encroachments and court litigations. The Tahsildhar further reported that, A-1 notice has been published on 27-05-2019 and no objections have been received.

4.It is submitted that the Revenue Divisional Officer also inspected the land proposed for alienation and reported that the land is under Government Custody, free from encroachments and feasible for erection of 33/11KV substation. The Assistant Director (Survey and land records) Rangareddy District has surveyed the land and Sub-divided the same and marked in the sketch as 290/2. The District Collector vide proceeding. No. LC1/2898/2018, dated 23-07-2019 has directed the Tahsildhar to demarcate the subject land on the ground as shown in the Sub-Division sketch and hand over the advance possession to the land admeasuring Ac. 01.00 in Sy.No. 290/2 , Puppalguda village, Gandipet Mandal, Rangareddy District to the Superintending Operation Circle TSSPDCL.

5.It is submitted that in compliance of the orders of the District Collector dated :23-07-2019 the Tahsildhar has got the Panchanama conducted by the Mandal Surveyor on 08-08-2018 and handed over the Physical possession of the said land to the Superintending Engineer, Cyber city circle, TSSPDCL under Panchanama.

6.It is submitted that the Respondents are in Physical possession of the land admeasuring Ac. 01.00 and are taking steps to protect the land by Constructing a compound wall. The land allotted is most suitable and situated within the area where power supply is required urgently. The substations in the near by areas of Narsingi, Manikonda and Ibrahimbagh are already overloaded, hence the substation has to be constructed and charged immediately.

It is submitted that all the allegations made by the petitioner that are not specifically dealt with herein are denied and the petitioner is put to strict proof of the same.

It is therefore prayed that this Honorable Court may pleased be to dismiss the writ petition with costs in the interest of Justice.

Sworn and signed before me DEPONENT

On this day of August, 2021

At Hyderabad Advocate: Hyderabad

VERIFICATION

I Charan Singh S/o. Ramokoty age: 42 years Occ: Assistant Divisional Engineer, Operation, Ibrahimbagh, TSSPDCL do hereby verify and declare that the facts stated in the above paragraphs of the affidavit are true to my personal knowledge, belief, information and also legal advise from my counsel.

Hence verified on this the day of August 2021 at Hyderabad.

DEPONENT

Counsel for the Respondents 2-5.