

M-43A

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

I.A No. Of 2021

IN

W.P No. 11177 of 2018

Between:

Nimmala Rajasekhar

...Petitioner

AND

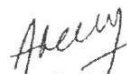
The State of Telangana and others

...Respondents

COUNTER AFFIDAVIT OF THE RESPONDENTS NO. 2 & 3

I, A.R.K. Reddy son of Shri A.Lakshma Reddy, aged about 58 years, resident of Hyderabad, working as Senior General Manager for Power Grid Corporation of India Limited, Southern Region Transmission System-I Headquarters at 6-6-8/32, Old Praga Tools Complex, Kavadiguda, Secunderabad -- 500080 (Telangana), having its Registered Office at B-9, Qutub Institutional Area, Katwarai Sarai, New Delhi-110 016, do hereby solemnly affirm and state as below:

1. That I am the authorized officer of 2nd Respondent and hence, acquainted with the facts of the case. I submit that I have read the affidavit of Petitioner for filing additional documents.
2. I submit that the contentions in the said affidavit are devoid of details. The petition under reply needs to be dismissed on the said count. The contentions in para 1 of the affidavit being descriptive about the petitioner, do not need any reply.


ए. राधाकृष्ण रेड्डी / A. Radhakrishna Reddy
वरिष्ठ महप्रबंधक (अभियंत्रिकी) / Sr. General Manager (Engg)
पावरग्रिड, द.शे.पा.प्र-1 / POWERGRID, SRTS-I
हिंदुस्तानाबाद / Secunderabad-500 080.

3. I submit in reply to para 2 of the affidavit that the same pertains to the prayer made by the Petitioner in the writ petition. It is submitted that the writ petition is not maintainable on various grounds detailed in the counter affidavit filed by the present Respondents which may be read as part and parcel of the present counter. It is incorrect to allege that the Respondent herein forcibly entered into the Petitioner's land without any authority of law as notices were issued for works in Petitioner's land at survey nos. 59,60,68, 69A/2 & 79/A/2 situated at Kesireddypally village, Yerrupalem Mandal of Khammam District for 765KV D/C Vemagiri - Chlakaluripeta Line, on 26.11.2016 before carrying out foundation works, on 04.03.2017 for Erection works, and on 21.11.2017 for stringing works. Hence notices were issued to the Petitioner from time to time for different activities during construction of said line Therefore Petitioner has been informed about the works being carried out in his land at every stage of work.

4. I submit in reply to para 3 that the fact that Petitioner being owner of land to an extent of Ac. 2.90 cts in Sy. NO. 59-60, 68, 69/A/2 and 79/A/2 situated at Kesireddypally Village, Yerrupalem Mandal, Khammam District is not in dispute. However the Petitioner is put to strict proof of the further averments that he has planted subabul plants. Further the allegation that POWERGRID has taken up construction of 765 KVA D/C Transmission line which is illegally passing through his land, is absolutely false and denied. The grounds raised by the Petitioner for making such allegations, are also misconceived and untenable, as per the legal advice given by the Respondents. It is further explained in detail in the counter affidavit filed by the Respondents. It is further submitted in reply to averments in Para 3 that alignment of 765KV D/C was published in the Government of India Gazette dated 03.08.2017 indicating the line passing through the States/District/Mandal and adjoining villages on either side of

Adveer
 ए. राधाकृष्ण रेड्डी / A. Radhakrishna Reddy
 श्री. महासंचालक (प्रसिद्धिनिर्देश) / Sr. General Manager (Engg)
 पावर ग्रीड, द.रो.आ.प्र-1 / POWERGRID, D.R.O. A.P.-1
 Secunderabad-500 080.

3

the alignment. Every care was taken to include major villages in and around through which the line is passing.

5. I submit in reply to the allegations in para 4 of the I.A that the contentions therein are vague and baseless. The Petitioner has failed to give the details of the land owners or the location of the said lands for which the alleged compensation was paid according to him. The said lands are situated in the State of Andhra Pradesh far away from the Petitioner's land in State of Telangana. In fact they are located in Krishna District in the State of Andhra Pradesh for which the compensation was fixed by the District Collector of Krishna as per the Indian Telegraph Act, by taking into account the relevant factors required for consideration. The comparison of the compensation paid for the above said land with the Petitioner's land is wishful and beyond imagination. It is further submitted that the Respondent has not acquired any land for construction of 765KV D/C line. It has followed all the guidelines issued by Government of India & Electricity Act 2003. Compensation for using land, compensation for crop & tree damaged during construction has been paid to all land owners at the rates decided by District Collector/ revenue authorities/ Agriculture department of respective state & districts en route of line alignment. The Petitioner received the compensation as per the rates fixed by the Respondent No.4, The District Collector, Khammam. The alleged compensation of Rs. 29,78,913/- paid to one of the land owner in Krishna District of State of Andhra Pradesh, is based on the assessment done by District Collector of Krishna District as the land of that particular location is abutting four lane National Highway No. 65, connecting Hyderabad and Vijayawada, which is not relevant in the present context as the Petitioner's land is far from the above said land and in remote area that too in a different State.

A. Radhakrishna Reddy
ए. राधाकृष्ण रेड्डी / A. Radhakrishna Reddy
वरिष्ठ महाप्रबंधक (समिदाधिकारी) / Sr. General Manager (Engg)
पावर ग्रीड, द. से. पा. १-१ / POWERGRID, SRTS
मिहंदराबाद / Secunderabad-500 080.

6. I submit in reply to the averments in para 5 that the same are liable to be rejected. The Petitioner is aggrieved by the proceeding issued by the District Collector on 31.01.2018, he has an efficacious remedy under law to challenge the same before the District Court for enhancement of compensation. Having not done the same the Petitioner cannot agitate the same before this Hon'ble Court by invoking its jurisdiction under Article 226 of the Constitution. The further contention that the Petitioner's land is located at a distance of 3 Km from the outer ring road and is intended for development as per draft perspective plan of 2050 of APCRD region cannot be a ground for entertaining the writ petition. The contention that Kesireddipalli Village is not shown in the Gazette Notification of Ministry of Power also deserves to be rejected as it is not mandatory for laying of transmission lines, considering the legal regime and various decisions of Hon'ble High Courts and the Hon'ble Apex Court. The Respondent herein has not acquired any land of the Petitioner for construction of 765KV D/C Line. The compensation paid to the affected land owners of Khammam district as per the rates fixed by District Collector/ Revenue Authorities of Khammam. Any standing crop & trees damaged during construction activities are compensated as per the rates fixed by Agriculture & Horticulture departments of concerned district. Every care was taken to include

name Reddy major villages by which the line is passing through. Copy of the proceedings issued by the District Collector, Khammam fixing the compensation are filed in the material papers for the ready reference of this Hon'ble Court.

Radhakrishna
 ए. राधाकृष्ण रेड्डी / A. Radhakrishna
 बरि. महप्रबंधक (अभियंत्रिकी) / Sr. General Manager (Engg)
 पावरग्रिड, द.क्षे.पा.अ-1/POWERGRID, SRTS
 सिकंदराबाद / Secunderabad-500 080.

7. I submit in reply to para 6 that the present application for receiving additional documents is therefore misconstrued and deserves to be dismissed.

8. It is therefore prayed that this Hon'ble Court may be pleased to dismiss the petition in the interest of justice.

Sworn and signed before me on this the day
of February, 2022.

Advocate/Hyderabad.

VERIFICATION

I, A.R.K. Reddy son of Shri A.Lakshma Reddy, aged about 58 years, resident of Hyderabad, working as Senior General Manager for Power Grid Corporation of India Limited, Southern Region Transmission System-I Headquarters at 6-6-8/32, Old Praga Tools Complex, Kavadiguda, Secunderabad – 500080 (Telangana), having its Registered Office at B-9, Qutub Institutional Area, Katwarai Sarai, New Delhi-110 016, do hereby state on oath that the contents of the above counter affidavit are true to the best of my knowledge, belief and information. Hence verified on this day of February, 2022.

Counsel for Respondent Nos. 2 & 3.


DEPONENT

ए. राधाकृष्ण रेड्डी / A. Radhakrishna Reddy
वरि. महप्रबंधक (अभियांत्रिकी) / Sr. General Manager (Engg)
पावरग्रिड, द.क्षे.पा.प्र-1 / POWERGRID, SRTS-I
सिकंदराबाद / Secunderabad-500 080.


DEPONENT

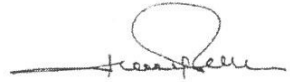
ए. राधाकृष्ण रेड्डी / A. Radhakrishna Reddy
वरि. महप्रबंधक (अभियांत्रिकी) / Sr. General Manager (Engg)
पावरग्रिड, द.क्षे.पा.प्र-1 / POWERGRID, SRTS-I
सिकंदराबाद / Secunderabad-500 080.

Ref: SR-I:EDO:

Date: 03.02.2022

LETTER OF AUTHORISATION

Sri A.R.K.Reddy, Emp.No.30832, at present working as Senior General Manager, POWERGRID, SRTS-I, Regional Headquarters, Secunderabad, is hereby authorized to sign the Counter Affidavit in Writ Petition No.11177/2018 : Nimmala Rajasekhar vs. State of Telangana & Ors, to be filed before the Hon'ble High Court for the State of Telangana at Hyderabad, on behalf of Power Grid Corporation of India Limited.



(Anoop Kumar)
Executive Director (SRTS-I)

KHAMMAM : : DISTRICT
IN THE HIGH COURT OF JUDICATURE
FOR THE STATE OF TELANGANA
AT HYDERABAD

I.A No. _____ Of 2021

IN

W.P No. 11177 of 2018

R/K
K. Anwar Kowad *AKB*
Self
8/2/28

COUNTER AFFIDAVIT OF THE
RESPONDENTS NO. 2 & 3

FILED BY

SARANG J. AFZULPURKAR [12260]

ADVOCATE

COUNSEL FOR RESPONDENT No. 2 & 3

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE
OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WP.No. 11177 OF 2018

CHRONOLOGICAL / RUNNING INDEX

Sl. No.	Exhibit	Description of Document	Date of Document	Date of filing of Document	Page No.
1.		Service Certificate	22.03.2018	22.03.2018	1
2.		Court fee	-do-	-do-	2
3.		Writ Petition	-do-	-do-	3-4
4.		Annexure	-do-	-do-	5
5.		Affidavit	-do-	-do-	6-13
6.		Verification	-do-	-do-	13
		<u>Material Papers</u>		-do-	
7.	P1	Copy of public notice	24.02.2017	-do-	14-16
8.	P2	Copy of death certificate with translation	02.03.2010	-do-	17-18
9.	P3	Copy of pattadhar passbooks and title deeds with translation		-do-	19-27
10	P4	Copy of family members certificate	15.07.2010	-do-	28
11	P5	Copy of encumbrance certificate	21.12.2017		29
12	P6	Copy of order in WP.No.36122/2017	30.10.2017		30-31
13	P7	Copy of notice	21.11.2017		32-34
14	P8	Copies of photographs			35-44
15		Vakalath			45
16		Respondents Addresses	-do-	-do-	46

DATE: 22-3-18
Hyderabad

M. S. Srinivas
Counsel for the Petitioner

MEMORANDUM OF WRIT PETITION
(SPECIAL ORIGINAL JURISDICTION)
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE
STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WP.NO. 11177 OF 2018

Between:

Nimmala Rajasékhar, S/o. Satyanarayana,
Aged 32 years, Occ: Agriculture,
R/o. Peddapuram Village, Verlapadu Mandal,
Krishna District.

..Petitioner

AND

1. The State of Telangana,
Rep: by its Principal Secretary,
Department of Energy, Secretariat,
Hyderabad.
2. The Power Grid Corporation of India Limited,
(A Government of India Enterprises)
Rep: by its Chief Managing Director, B-9,
Qutab Institutional Area, Katwaria Sarai,
New Delhi -110016.
3. The Power Grid Corporation of India Limited
Rep: by its Deputy General Manager,
Kavadiguda Main Road, Secunderabad-500080,
Hyderabad.
4. The District Collector,
Khammam District, at Khammam.
5. Telangana Electricity Regulatory Commission,
Rep: by its Chairman, Having Office at H. No. 11-4-660,
4th Floor, Singareni Bhavan, Red Hills, Hyderabad-500004.

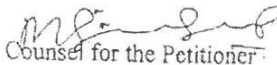
..RESPONDENT/S

The address for service on the above named Petitioners is that of
their counsel M/s.M.Srinivasa Swarup, Advocate, Flat No.A-2, 1st
Floor, Maitri Bhavan, Plot No.23, Road No.3, Banjara Hills,
Hyderabad.

4

For the reasons stated in the accompanying affidavit, It is therefore prayed that this Hon'ble Court may be pleased to issue a writ or order or direction or writ of Mandamus, declaring the action of respondents forcibly entering into the land of the petitioner of an extent of Ac.2.90 cts in Sy.No.59-60, 68, 69/A/2 and 79/A/2 situated at Kesireddypally Village, Yerrupalem Mandal, Khammam District as illegal, arbitrary, without notifying the same in the notification, without authority of law and not in accordance with the procedure established by the law, unjust and violative of Articles 14, 21 and 300A of Constitution of India and consequently direct the respondents to pay the compensation as per law and pass all necessary orders for the said purpose.

Hyderabad
DATE: 21-3-18


Counsel for the Petitioner

6

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WP.NO. 11177 OF 2018

Between:

Nimmala Rajasekhar, S/o. Satyanarayana,
Aged 32 years, Occ: Agriculture,
R/o. Peddapuram Village, Verlapadu Mandal,
Krishna District.

..Petitioner

AND

1. The State of Telangana,
Rep: by its Principal Secretary,
Department of Energy, Secretariat,
Hyderabad.
2. The Power Grid Corporation of India Limited,
(A Government of India Enterprises)
Rep: by its Chief Managing Director, B-9,
Qutab Institutional Area, Katwaria Sarai,
New Delhi -110016.
3. The Power Grid Corporation of India Limited
Rep: by its Deputy General Manager,
Kavadiguda Main Road, Secunderabad-500080,
Hyderabad.
4. The District Collector,
Khammam District, at Khammam.
5. Telangana Electricity Regulatory Commission,
Rep: by its Chairman, Having Office at H. No. 11-4-660, .
4th Floor, Singareni Bhavan, Red Hills, Hyderabad-500004.

..RESPONDENT/S

AFFIDAVIT

I, Nimmala Rajasekhar, S/o. Satyanarayana, Aged 32 years, Occ: Agriculture, R/o. Peddapuram Village, Verlapadu Mandal, Krishna District., now having temporarily come down to hyderabad, do hereby solemnly and sincerely affirm and state as follows:

N. Rajasekhar

1. I submit that I am the deponent herein and petitioner in the above writ petition as such, I know the facts of this case.
2. I submit that I am the owner and possessor of land an extent of Ac.2.90 cts in Sy.No.59-60, 68, 69/A/2 and 79/A/2 situated at Kesireddypally Village, Yerrupalem Mandal, Khammam District. I have planted subabul plants four years ago and they have become big trees now and is about to cut. The total value of the entire subabul crop in Ac.2.90 cts of land is about Rs.5,42,000/- including the cost of investment.
3. I submit that the Power Grid Corporation of India Limited represented by respondents 2 & 3 has taken up the construction of 765 K.V.A D/C Transmission Line from Venagiri to Chilakaluripeta. The said electric power transmission line passes through East Godavari, West Godavari, Krishna, Khammam and Guntur Districts along the agricultural fields wherein paddy, sugarcane, mango gardens, subabul, Eucalyptus, casuarinas gardens, palm oil, maize and other crops are already cultivated by several farmers. I further submit that the said transmission line is passing through our Kesireddypally village through my land of an extent of Ac.2.90 cts in the above said survey numbers.
4. I submit that the respondents 1 to 3 did not issue notice to the effected farmers including myself before carrying out the works of transmission line. And they have not followed guidelines for

N. Rajasree

payment of compensation towards damages in regard to right of way for transmission lines issued by Government of India, Energy Department and Andhra Pradesh Electricity Regulatory Commission. The Andhra Pradesh Works of Licensees Rules, 2007 and the Electricity Act, 2003. They have obtained prior consent of the effected land owners or lawful possessors and they not called for objections of the owners of the effected lands.

5. I submit that on request made by the 3rd respondent fixation of one time compensation for tower area to the transmission lines run through the Achampeta, Krosuru, Sattenapalli, Muppalla, Nuzendla, Rompicherla, Nekarikallu, Narasaraopet, Vinukonda and Savalayapuram Mandals in the Guntur district the 4th respondent. Passed an order dated: 18.06.2017 under Sec. 68 of electricity Act, 2003 fixing the rate for each tower area (extent of the land effected after casting foundation within tower legs) at Rs.1,73,400/-(Rupees One Lakh Seventy Three and Four Hundred Only) in lump sum up to the extent of tower area of Ac.0.12 Cents only without due process of law and without following the guidelines for payment of compensation towards damages in regard to Right of Way for transmission lines issued by Government of India, Energy department, Andhra Pradesh Electricity Regulatory Commission and Electricity Act, 2003 — The Andhra Pradesh Works of Licensees Rules, 2007 issued

N. S. Joshi

under G.O.Ms No. 24 dated 27.02.2007 by the Energy department, Government of Andhra Pradesh.

6. I submit that as per the Andhra Pradesh works of Licensees Rules 2007 laid by Energy Department, Government of Andhra Pradesh, Andhra Pradesh Electricity Regulatory Commission and Section 67(2)(a) of the Electricity Act 2003, Respondent Nos. 1 to 3 shall not carry out works of transmission line through any land or building without the prior consent in writing of the owner or occupier.

Rule 3(1) (a) of Andhra Pradesh Works of Licensees Rules, 2007:- carry out works, day down or place any electric supply line or other works in, through, or against, any building, or on, over or under any land whereon, wherever or whereunder any electric supply al line or works has not already been lawfully laid down or placed by such licensee, without the prior consent of the owner or occupier of any building or land.

Section 67(2)(a):- the case and circumstances in which the consent in writing of the Appropriate Government, local authority, owner or occupier, as the case may be, required for carrying out works.

7. I submit that it is mandatory provision to the respondent No.4 that when making an order under sub rule (1) shall fix after considering the representations of the concerned persons, if any, the amount of compensation or of annual rent or of both, which should in his opinion be paid by the licensee to the owner or occupier.

N. Raju Kumar

Rule 3(4) of Andhra Pradesh Works of Licensees Rules, 2007:-When making an order under Sub — Rule (1) the District Magistrate or the Commissioner of Police or the officer so authorized, as the case may be, shall fix, after considering the representations of the concerned persons, if any, the amount of compensation or annual rent, or of both, which should in his opinion be paid by the licensee to the owner or occupier.

Guidelines for payment of compensation towards damages in regard to Right of Way for Transmission lines issued by Government of India Energy Department:-

2. The Recommendations made by the Committee are hereby formulated in the form of following guidelines for determining the compensation towards "damages" as stipulated in section 67 and 68 of the Electricity Act 2003 read with section 10 and 16 of Indian Telegraph Act,1885 which will be in addition to the compensation towards normal crop and tree damages. This amount will be payable only for transmission lines supported by a tower base of 66 KV and above and not for sub-transmission and distribution lines below 66KV:-

(i) Compensation @85010 of land value as determined by District Magistrate or any other authority based on Circle rate /Guideline value / Stamp Act rates for tower base area (between four legs) impacted severely due to installation of tower I pylon structure.

(i) Compensation towards diminution of land value in the width of Right of Way (RoW) corridor due to laying of transmission line and imposing certain restrictions would be decided by the States as per categorization/type of land in different places of states, subject to a maximum of 15 % of land Value as determined based on circle rate/ Guidelines value/Stamp Act rates.

N. Rajan

8. It is submitted that the entire land of Ac.2.90 cts is totally covered by the tower and the total extent is not useful for any purpose in future, particularly for cultivation. Before erecting the tower without notice and opportunity to me, the respondents have cut the subabul trees which are ripe for cut and sale in the market and caused huge damage to me. For that the authorities are contemplating to give meager compensation only where the foot of the tower is lying, but in my case the four foot of the tower is totally occupying the entire extent. That apart when 765 KVA power line is running on the head, because of the radiation no tree or plant can be grown. The entire land becomes useless, therefore I am entitled to compensation as per Land Acquisition Act also i.e., Act 30/2013.

9. I submit that due to the act of the respondent No. 1 and 4 the petitioner sustained huge loss by way of damages for existing crop (i.e., Subabul trees) while laying transmission line. Depreciation in value of land along the corridor due to Transmission line, since the existing crop of subabul trees is long term crop of thirty years and cultivated two years back only, loss in returns for further period of crop (i.e. twenty eight years) due to inability to grow crop along the corridor (i.e. area between the towers) apart from under the towers.

10. It is submitted that the respondents have notified before erecting the towers. In the said notification the name of my village

N. Raja Sekar

Kesireddypally is not figuring even then they have erected the tower in my land forcibly inspite of my objection. I being a poor individual and in a helpless position, could not resist the act of respondents and with the highhandness the respondents have erected the tower.

11. In the circumstances stated above, the petitioner has no efficacious alternative remedy, except to seek the Redressal before this Hon'ble Court seeking the indulgence of this Hon'ble Court to exercise the extraordinary original jurisdiction vested in this Hon'ble Court by virtue of Article 226 of the Constitution of India.

12. The petitioner has not filed any writ petition, suit or other proceedings for the relief or relieves sought herein.

It is therefore prayed that this Hon'ble Court may be pleased to issue a writ or order or direction or writ of Mandamus, declaring the action of respondents forcibly entering into the land of the petitioner of an extent of Ac.2.90 cts in Sy.No.59-60, 68, 69/A/2 and 79/A/2 situated at Kesireddypally Village, Yerrupalem Mandal, Khammam District as illegal, arbitrary, without notifying the same in the notification, without authority of law and not in accordance with the procedure established by the law, unjust and violative of Articles 14, 21 and 300A of Constitution of India and consequently direct the respondents to pay the compensation as per law and pass all necessary orders for the said purpose.

N. Raja Sekh

It is also just and necessary that this Hon'ble Court may be pleased to grant temporary injunction restraining the respondents 1 to 3, their men and licensees from laying the transmission line along the petitioners land said above, pending disposal of the above writ petition and pass such other order or orders may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirm this
the day of 21st day of March 2018
and signed his name in my presence.

Deponent

Before ME

N. Raju Sekar

Advocate//Hyderabad

VERIFICATION STATEMENT

I, Nimmala Rajasekhar, S/o. Satyanarayana, Aged 32 years, Occ: Agriculture, R/o. Peddapuram Village, Verlapadu Mandal, Krishna District., being the petitioner herein acquainted with the facts do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge. The above contents are typed under my instructions and same are read over and explained to me in vernacular language. Hence, verified at Hyderabad on this the day of 21st day of March, 2018.


ADVOCATE

N. Raju Sekar

DEPONENT

2

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

I.A. No. of 2021
In
W.P. No. 11177 of 2018

Between:

Nimmala Rajasekhar
S/o. Satyanarayana, aged 32 years,
Occ. Agriculture, R/o. Peddapuram Village
Verlapadu Mandal, Krishna District

.. Petitioner

AND

- 1) The State of Telangana
Rep by its Principal Secretary, Department of Energy
Secretariat, Hyderabad
- 2) The Power Grid Corporation of India Limited
A Government of India Enterprises
Rep by its Chief Managing Director, B9 Qutab Institutional Area
Katwari Sarai, New Delhi 110 016
- 3) The Power Grid Corporation of India Ltd.,
Rep by its Deputy General Manager, d Kavadiguda Main Road.
Secunderabad 500 080
- 4) The District Collector
Khammam District at Khammam
- 5) Telangana Electricity Regulatory Commission
Rep by its Chairman, Having office at H No. 114660
4th Floor, Singareni Bhavan, Red Hills
Hyderabad 500 004

.. Respondents

AFFIDAVIT FILED ON BEHALF OF THE PETITIONER

I, Nimmala Rajasekhar, S/o. Satyanarayana, aged 32 years, Occ. Agriculture, R/o. Peddapuram Village, Verlapadu Mandal, Krishna District, now having temporarily come down to Amaravathi, do hereby solemnly affirm and state on oath as follows:

1. I submit that I am the petitioner herein and as such I am well acquainted with the facts of the case and able to depose as under.
2. I submit that, the above writ petition is filed before this hon'ble court, declaring the action of the respondents forcibly entering into the land of the petitioner of an extent of Ac.2.90 cents in Sy No. 59, 60, 68, 69/A/2 and 79/A/2 situated at Kesireddypally Village, Yerrupalem Mandal, Khammam District is illegal, arbitrary without notifying the same in the notification without authority of law and not in accordance with the

1st page corr.,

Deponent

N. Rajasekhar

(3)

: 2 :

procedure established by the law unjust and violative of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents to pay the compensation as per law and to pass such other order or orders in the interest of justice and the said writ petition is pending.

3. I submit that, I am the owner and possessor of land of Ac.2.90 situated in Sy No., 59, 60, 68, 69/A/2 and 79/A/2 at Kesreddypalli Village, Yerrupalem Mandal, Khammam with Subabul Crop. Power Grid had taken up construction of 765 KVA D/C Transmission line which illegally passed through my land. As such, this writ has been filed praying for compensation for the damage inflicted by the works for the purpose of laying this transmission line, without notifying the same in the gazette notification without authority of law and not in accordance with the procedure established by the law.

4. I submit that, while the above writ petition is still pending it has come to my knowledge that land owners whose land is nearby my land and has been utilized by the respondent herein, have been compensated relatively more than I have been compensated for the usage of same extent of land. I have filed an RTI Application with regard to the compensation being paid by the respondent corporation, the reply to which has revealed that these land owners have received compensation from the respondent corporation, which is reflected in their accounts to a tune of Rs.29,78,913/- for a piece of land to the extent of Ac.0.18 cents. I submit that, in my case an extent of Ac.2.90 cents has been affected for which I would be entitled to Rs.32,66,65,700/- (Rupees Thirty Three Crores, Sixty Six Lakhs, Sixty Five Thousand and Seven Hundred only). I crave the leave of this Hon'ble Court to place on record the District Collector, Krishna proceedings dated 16.08.2018 as material papers for kind perusal of this Hon'ble Court.

5. I further submit that, in my case, a general proceedings was issued by the District Collector on 31.01.2018 for every land acquired with equal compensation without factoring in the different extents of damage caused to each land and further without considering that each land, depending on where it is located, has different value. I submit that, my land is also located at a distance of 3 km from the Outer Ring Road (ORR) and is intended for



पावरग्रिड
POWERGRID

पावरग्रिड सदर्न इंटरकनेक्टर ट्रान्समिशन सिस्टम लिमिटेड
POWERGRID SOUTHERN INTER CONNECTOR
TRANSMISSION SYSTEM LIMITED
(पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड की पूर्ण स्वामित्व प्राप्त सहायक कंपनी)
(A 100% wholly owned subsidiary of Powergrid Corporation of India Limited)

By SPEED POST

Ref: SRTS-I: PSITSL: RTI-/2023-24/ 27

Dt.21.02.2024

To,
Sri Praveen Bonkuri
(Advocate)
H. No.3-4-114, 1st floor,
Sai chitranagar, lane no.2,
Beside HPS, Ramanthapur
Hyderabad-500013
(Ph no.8317592932)

Dear Sir,


Sub.: Information under RTI Act, 2005 – Reg.

Ref. : Your application dtd.09-02-2024 filed on behalf of your client Sri Nimmala Rajasekhar

1. This is with reference to your RTI Application dated 09/02/2024, received by this office on 12.02.2023, seeking information on behalf of your client Shri Nimmala Rajasekhar regarding payment details of Shri Buddi Subbarao, S/o. Nageswar Rao, Peddupuram Village, Veerullupadu Mandal, Krishna Dist., A.P.
2. This application is similar to your client's earlier RTI queries and representations through various forums which were appropriately replied to, by POWERGRID/ PSITSL.
3. This was also an issue before the Hon'ble High Court of Judicature for the State of Telangana in WP No. 11177 of 2018, wherein at Para 4 of your client's affidavit in IA No. 1/2021 in WP No. 11177/2018, your client has referred to in his RTI application.
4. The requested query is exempted under Sec.8(1)(g) & (j) of the RTI Act'2005 and decision of CIC vide case No. CIC/AD/A/2013/001326-SA dated 25.06.2014 whereby, the repetitive nature of information shall be grounds for refusal. (copy enclosed)

Accordingly, your subject application filed on behalf of your client Shri Nimmala Rajasekhar stands rejected.

Yours faithfully,
For POWERGRID Southern Interconnector Tr.Sys.Ltd.,


(Nanaji SMV)
CEO/PSITSL

Encl.:As above.

EMS SPEED POST

6

2/27



To:
Shri Praveen Bonkuri
Advocate
H.No.3-4-114, 1st Floor,
Sai chitranagar, Lane No.2
Beside HPS, Ramanthapur
Hyderabad - 500013

From:
CEO/PSITSL
POWERGRID Southern Interconnector Tr.Sys.Ltd.
D.No. 6-6-8/32, 395E, Kavadiguda Main Road
Secunderabad - 500080. (Telangana)

2/27

MOST URGENT

7

PRAVEEN BONKURI,
B COM, MBA, LLB, PGDTIL,
N ELIA,
B COM, MA, LLB, PGDTIL
KEERTHI CHANDRAMOULI
B COM, MBA, LLB, PGDTIL,
HIGH COURT ADVOCATES

H.No. 3-4-114, 1st floor
Sai chitranagar, lane No 2
Beside HPS, Ramanthapur
Hyderabad-13

Ph.No.8317592932.

Date:10-01-2024

To.

The Power Grid Corporation of India,
Public Information Officer
Hyderabad Office, Kavadiguda,
Telangana State.

Subject:- Request to furnish the information under RTI ACT 2005, what is the land acquisition compensation was declared to the farmer's of Keshireddypally Village, Yerrupallem Mandal , Khammam District,TS, for the purpose of Power Grid Project in Telanagana, how much amount was paid to Buddi Subbarao S/o Nageswara Rao in which bank and Account Number other details sought by me from Power Grid Corporation of India, Hyderabad Office, Kavadiguda.

My client name is Nimmala Rajasekhar Father: Satyanarayana. My Client land is in Kesireddypalli village, Errupalem mandal, Khammam district, Cel 1 No:9676367673, nimmalarajasekhar11@gmail.com. Power Grid Corporation of India has done power grid work in my client land. They paid different amount's to my client neighbor's the land owner is Buddi Subbarao's land. Both of their lands are in same revenue village only Keshireddypally Village, Yerrupallem Mandal , Khammam District, TS,. But, the Power Grid Corporation of India was paid differently them for doing power grid work in his land as well.

My client have some information about the money paid to him. But I am requesting you that all the information is required. Hence I request to furnish the authorities of Power Grid to kindly help me by giving complete information of under RTI ACT 2005 Buddi Subba rao S/o Nageswara Rao, R/o Keshireddypally Village, Yerrupallem Mandal , Khammam District,TS, including his account number and bank details.

Hyderabad.

PRAVEEN BONKURI
ADVOCATE.

