

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
[Special Original Jurisdiction]

TUESDAY THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND SEVENTEEN

PRESENT

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE DR.JUSTICE SHAMEEM AKTHER

WRIT PETITION No. 10255 OF 2006

Between:

V. Shankaraiah ... Petitioner

V/s.

The Revenue Divisional Officer,
Medak District at Sanga Reddy & Ors. ... Respondents



Counsel for the Petitioner : Sri S. Satyanarayana Rao

Counsel for the Respondents : GP for Revenue
Sri M.Venkatram Reddy

The court made the following: : [order follows]

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION No. 10255 OF 2006

ORDER : (Oral, *Per the Hon'ble Sri Justice Suresh Kumar Kait*)

This writ petition is filed by the petitioner invoking the inherent jurisdiction of this Court under Article 226 of the Constitution of India, seeking writ of Certiorari, calling for the records dated 04/04/2006 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No. 1305 of 2003, quash the same and further to direct the respondents 1 and 2 to continue the petitioner as village servant of Minupally village as per his appointment proceedings No. 133/2002 dated 29/11/2002 and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned counsel for the parties.

3. Vide the present writ petition, the petitioner has challenged the order dated 04/4/2006 passed by the learned Tribunal in O.A.No.1305 of 2003, whereby while disposing of the aforesaid O.A. filed by the respondent No.3 herein, directing the respondent No.2 to review the case of the respondent No.3 as well as the unofficial respondent in the

light of the Government Memo.No.91991/VO-I/92-05, dated 23/1/1996 and pass appropriate orders within twelve weeks from the date of receipt of a copy of the order.

4. Being aggrieved, the petitioner filed the present writ petition.

On 23/5/2006, Notice before admission was ordered and interim suspension was granted and in WPMP.No. 12900 of 2006 which was made absolute on 10/7/2006.

5. During the arguments, counsel appearing on behalf of the petitioner has produced Proceedings of the District Collector, Medak at Sanga Reddy, vide Procdgs.No. A-4/2198/2008-3, dated 04/6/2008 and submits that in view of the aforesaid proceedings nothing remains for adjudication in the present writ petition and the same may be disposed of.

6. At this stage, counsel appearing on behalf of the third respondent has objected the aforesaid proceedings dated 04/6/2008 and submits that this proceedings is passed behind the back of third respondent and the third respondent filed the petition before the Tribunal challenging the appointment of the petitioner.

7. After hearing the learned counsel for the parties, since we are not giving any opinion on the merits of the case of respondent No.3.

We hereby grant liberty to the third respondent to challenge the aforesaid proceedings dated 04/6/2008 of the District Collector, Medak at Sanga Reddy, if so advised, before appropriate forum.

8. We further make it clear that if the third respondent challenges the aforesaid Proceedings dated 04/6/2008 of the District Collector, Medak at Sanga Reddy, his writ petition shall not be dismissed on the ground of delay and laches, because today for the first time the aforesaid proceedings is brought to the notice of the third respondent.

9. With the above observation, the writ petition is disposed of at the admission stage. No costs.

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

JUSTICE SURESH KUMAR KAIT

Dr. JUSTICE SHAMEEM AKTHER

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE DR.JUSTICE SHAMEEM AKTHER**

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WRIT PETITION No. 10255 OF 2006

(Order of the Division Bench delivered by
Hon'ble Sri Justice Suresh Kumar Kait)



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