

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

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF JUNE
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WP .NO:13906 of 2015

Between:

Osman S/o P.Daulu, Chairman, School Management Committee, Z.P.High School, Palwai, R/o Palwai village, Maldakallu Mandal, Mahabubnagar District

..... Petitioner

AND

- 1 State of Telangana, represented by its Principal Secretary, Department of Women & Child Welfare, Telangana Secretariat, Hyderabad.
- 2 The District Collector, Mahabubnagar District, Mahabubnagar.
- 3 Executive Engineer, Panchayat Raj Engineering Department, PRI Division, Engineering Division, Gadwal, Mahabubnagar District.
- 4 Chinna Swamy, Occ: Contractor, C/o Executive Engineer, Panchayat Raj Engineering Department, PRI Division, Gadwal, Mahabubnagar District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS WRIT OF MANDAMUS declaring the action of the Respondents No.3 & 4 in constructing Anganwadi Centre building in the land earmarked for play ground belonging to the Z.P.High School, Palwai village, Maldakal mandal, Mahabubnagar District, as illegal, arbitrary and violation of the principles of natural justice and has the effect of violation of fundamental rights u/a 21 of the Constitution of India, and consequently direct the respondents to stop the construction forthwith;

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The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of SRI K.VENKATESH GUPTA Advocate for the Petitioner, learned Government Pleader for Women and Child Welfare (T.G.) for Respondent No. 1, learned Government Pleader for Revenue (T.G.) for Respondent No.2, and of learned Government Pleader for Panchayat Raj and Rural Development (T.G.) for Respondent No. 3, the Court made the following:

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ORDER:
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At the request of the learned Government Pleader for Women and Child Welfare, post after two weeks for filing counter-affidavit.

Meanwhile respondents are directed not to undertake further construction of Anganwadi Center Building in A.P.High School, Palwai Village, Maldakal Mandal, Mahabubnagar District.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Department of Women & Child Welfare, State of Telangana, Telangana Secretariat, Hyderabad.
- 2 The District Collector, Mahabubnagar District, Mahabubnagar.
- 3 The Executive Engineer, Panchayat Raj Engineering Department, PRI Division, Engineering Division, Gadwal, Mahabubnagar District.
- 4 Chinna Swamy, Occ: Contractor, C/o Executive Engineer, Panchayat Raj Engineering Department, PRI Division, Gadwal, Mahabubnagar District. (1 to 4 by RPAD)
- 5 One CC to SRI K.VENKATESH GUPTA, Advocate (OPUC)
- 6 Two CCs to GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT (T.G.), HIGH COURT, HIGH COURT BUILDINGS, HYDERABAD (OUT)
- 7 Two CCs to GP FOR REVENUE (T.G.), HIGH COURT, HIGH COURT BUILDINGS, HYDERABAD (OUT)
- 8 Two CCs to GP FOR WOMEN & CHILD WELFARE (T.G.), HIGH COURT, HIGH COURT BUILDINGS, HYDERABAD (OUT)
- 9 One spare copy.

SRL

HIGH COURT

PNRJ

DATED: 02.06.2015

NOTE: POST AFTER TWO WEEKS FOR FILING COUNTER-AFFIDAVIT.

ORDER

W.P.NO. 13906 OF 2015

DIRECTION

HIGH COURT

Drafted by: SRL

Date of Drafting : 03.06.2015

PNRJ

DATED: 02.06.2015

**NOTE: POST AFTER TWO WEEKS FOR FILING COUNTER-
AFFIDAVIT.**

ORDER

W.P.NO. 13906 OF 2015

DIRECTION

