

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15028 OF 2019

Date:22.07.2019

Between:

Bujjili Mahakali Temple Youngmen
Association, rep., by its President
C.Vinod Kumar Yadav, aged about
46 years, Occ: Business, R/o.H.No.3-3-409,
Near Manjeera Hotel, Chappal Bazar,
Kachiguda, Hyderabad and another .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Home Department,
Secretariat Buildings, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.15028 OF 2019****ORDER:**

Heard.

2. Petitioners filed application seeking permission for road cutting for erecting bamboos on road side for decoration of lights/flowers on the occasion of Bonalu festival at Chappal Bazar in Kachiguda Division for a length of 1.533 metres and the said permission was sanctioned on 06.07.2019. One of the conditions required to be complied by the persons incorporated in Clause 23 of the conditions is, road cutting should be completed within three days from the date of issue. Apparently, the road cutting was not completed within three days. Alleging interference, petitioners filed O.S.No.1603 of 2019 in the Court of XXI Junior Civil Judge, City Civil Court, Hyderabad. They also filed I.A.No.477 of 2019 seeking to grant ad interim injunction. By order dated 12.07.2019 the learned Judge granted *status quo* to be maintained by the respondents. While so, by order dated 15.07.2019, petitioners were informed that the earlier permission granted for road cutting was cancelled as the road cutting was not completed within three days from the date of issue of proceedings.

3. Learned counsel for the petitioners sought to contend that the said decision is illegal and as evident from the letter dated 15.07.2019 addressed by the Deputy Commissioner, GHMC, to the Circle Inspector of Police, Kachiguda Police Station, the reason for cancellation was on account of earlier order of this Court in W.P.No.26698 of 2018. But, the said order is not applicable

whenever permission is obtained by applying and paying the requisite amount.

4. The Court is not expressing any opinion on the said contention. Apparently, three days time was granted vide proceedings dated 06.07.2019 and admittedly the road cutting was not completed within the time granted. In the order impugned, what was stated was, three days time was lapsed and cutting of road was not completed. Therefore, the cancellation of permission is only affirmation of the condition imposed in the original order. Hence, no relief as sought for by the petitioners can be granted.

5. The Writ Petition is dismissed, leaving it open to the petitioners to file an application and seek consideration of such application in accordance with law. Having regard to the fact that the application is with reference to time bound performance of festival celebrations, the competent authority shall act with due diligence and expedience. Pending miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:22.07.2019

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