

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY**

WRIT PETITION (PIL) NO: 316 OF 2020

Between:

1. Kare Madhu, Son of Kare Ramachandraiah, aged 33 years, Occupation. Agriculture, R/o H.No.2-53, Mamidipalle village, Kothur mandal, Mahabubnagar district now Nandigama mandal, Rangareddy district.
2. Udutha Prabhu, Son of Udutha Narayana, aged 31 years, Occupation. Agriculture, Rio H.No.1-28/3, Mamidipalle village, Kothur mandal, Mahabubnagar district now Nandigama Mandal, Rangareddy district.

...PETITIONERS

AND

1. Sate of Telangana, Rep. by its Secretary, Panchayat Raj Department, Secretariat, BRKR Bhavan, Tank Bund, Hyderabad.
2. The District Collector, Rangareddy district, Lakdikapool, Hyderabad.
3. The Tahsildar, Nandigama mandal, Rangareddy district.
4. The Panchayat Secretary, Mamidipalle village, Nandigama mandal, Rangareddy district.
5. The Gram Panchayat, Mamidipalle village, Nandigama mandal, Rangareddy district, Represented by its Sarpanch.
6. The Executive Engineer, I & B Sub-Division, Shadnagar, Rangareddy district.
7. The Assistant Sub-Divisional Engineer, I & B Sub-Division, Nandigama mandal, Nandigama, Rangareddy district.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate Writ, Order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in erecting a dumping yard and smashana vaatika (crematorium) in the land forming part of FTL of Kundeti Kunta cheruvu in survey number-1. of Mamidipalle village, Nandigama mandal, Rangareddy district as illegal, arbitrary, violative of law, Article-14 and 21 of the Constitution of India and issue a consequential direction directing the Respondents to restore the entire extent of Ac.25.15 guntas in survey number-1 of Mamidipalle village, Nandigama mandal, Rangareddy district as pond and maintain the same in the interest of justice.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to utilize any part of the FTL extent (Acs.25.15 Gts) of Kundeti Kunta cheruvu in survey No.1 of Mamidipalle village, Nandigama mandal, Rangareddy district as dumping yard or burial ground (smashana vaatika)

Counsel for the Petitioners: SRI JOINT PRABHAKAR ADVOCATE FOR
SRI. N M KRISHNAIAH

Counsel for the Respondent Nos. 1 & 4: GP FOR PANCHAYAT RAJ & RURAL
DEVELOPMENT

Counsel for the Respondent Nos. 2 & 3: GP FOR REVENUE

Counsel for the Respondent No. 5: SRI. G. DAMODER REDDY, SC FOR GRAM
PANCHAYAT

Counsel for the Respondent Nos. 6 & 7: GP FOR ROADS & BUILDINGS

The Court made the following:

JUDGMENT: (Per the Hon'ble the Chief Justice Sri Raghavendra Singh Chauhan)

Mr. J. Prabhakar, proxy counsel for Mr. N. M. Krishnaiah, the learned counsel for the petitioners, wishes to withdraw this Writ Petition with liberty to file a fresh Writ Petition.

Therefore, the Writ Petition (PIL) is, hereby, dismissed as withdrawn. The liberty, so prayed, is hereby granted. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to Sri. N.M. Krishnaiah, Advocate (OPUC)
2. One CC to Sri. G. Damoder Reddy, SC for Gram Panchayat (OPUC)
3. Two CCs to the GP for Panchayat Raj & Rural Development, High Court for the State of Telangana. (OUT)
4. Two CCs to the GP for Revenue, High Court for the State of Telangana. (OUT)
5. Two CCs to the GP for Roads & Buildings, High Court for the State of Telangana. (OUT)
6. Two CD Copies.

PM

V. S. S.

HIGH COURT

DATED:31/12/2020

ORDER

WP(PIL).No.316 of 2020



Dismissing the WP
As withdrawn
Without costs.

(10) VW
5/1/21