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

TUESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 24091 OF 2020

Between:

1. A. Venkatesh, S/o. Rama Chandraiah, Aged about 30 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
2. A. Rajaiah, S/o. Chinna Kistaiah, Aged about 62 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
3. Sabavath Hanmanaik, S/o. Ram, Aged about 59 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
4. A. Ramachandraiah, S/o. Balaiah, Aged about 62 years, cc. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
5. A. Anjamma, W/o. Ramachandraiah, Aged about 55 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
6. K. Pentamma, W/o. Jangaiah, Aged about 46 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
7. V. Srinu, S/o. Gopya, Aged about 39 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
8. Koppu Krishna, S/o. Chennaiah, Aged about 26 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
9. V. Gopya, S/o. Dhanku, Aged about 55 years, Occ. Agriculture, R/o. Kadthal Village and Mandal, Ranga Reddy District.
10. W.V. Mangamma, W/o. V. Gopya, Aged about 52 years, Occ. Agriculture All are R/o. Kadthal Village and Mandal, Ranga Reddy District.

...PETITIONERS

AND

1. The Principal Secretary, Rep. by its Ministry of Road Transport and Highways, Government of India.
2. The Regional Officer, National Highways Authority of India, Hyderabad.
3. The State of Telangana, Rep. by its Principal Secretary, Roads and Transport Department, Secretariat, Hyderabad, Telangana State.
4. The Executive Engineer, National Highway Authority of India, Kalwakurthy, Mahabub Nagar District.
5. The Deputy Engineer, National Highway Authority of India, Kalwakurthy, Mahabub Nagar District.
6. The Assistant Engineer, National Highway Authority of India, Kalwakurthy, Mahabub Nagar District.
7. The Secretary, Gram Panchayat Kadthal, Kadthal Mandal, Mahabub Nagar 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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declare the action of the respondents herein in illegally constructing side drainage on NHA 765 adjacent to the agricultural lands of the petitioners herein situated in village Kadthal Village and Mandal, Ranga Reddy District, as being illegal, arbitrary, discriminatory and violation of Articles 14 and 21 and 300-A of the Constitution of India.

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 herein to stay all further proceedings including construction of pipe line preventing flow of drainage water side drain along with NHA-765 situated near Kadthal village and mandal, Mahabubnagar District, pending disposal of the writ petition.

Counsel for the Petitioners: SRI V. RAGHUNATH

Counsel for the Respondent No.1: SRI NAMAVARAPU RAJESHWAR RAO,

(ASSISTANT SOLICITOR GENERAL)

Counsel for the Respondent Nos. 2,4,5&6: SRI A. LAKSHMI NARAYANA

Counsel for the Respondent No. 3: GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.7: SRI G. NARENDER REDDY,

STANDING COUNSEL FOR GRAM PANCHAYAT

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24091 of 2020

ORDER:

It is pointed out by the learned Standing Counsel appearing for respondent Nos.2, 4, 5 and 6 that the National Highways Authority of India is not undertaking the work and as a matter of fact, the subject work, about which, complaint is made by the petitioners, is being undertaken by the National Highways Authority, R & B Division, State of Telangana.

In those circumstances, learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition with liberty to the petitioners to file a fresh writ petition.

Permission is accorded and the writ petition is dismissed as withdrawn with liberty as prayed for.

Miscellaneous petitions, if any, pending in this writ petition shall also stand dismissed. There shall be no order as to costs.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. V. Raghunath, Advocate [OPUC]
2. One CC to Sri. Namavarapu Rajeshwar Rao, Assistant Solicitor General [OPUC]
3. One C.C. to Sri. A. Lakshmi Narayana, Advocate [OPUC]
4. One C.C. to Sri. G. Narender Reddy, Standing Counsel for Gram Panchayat (OPUC)
5. Two CCs to GP for Roads & Buildings, High Court for the State of Telangana. [OUT]
6. Two C.D. Copies

Prk

HIGH COURT

DATED:29/12/2020

ORDER

WP.No.24091 of 2020



Dismissing the WP.
as withdrawn
without costs.

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7/1/21