

HIGH COURT FOR THE STATE OF TELANGANA
THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT APPEAL NO.814 of 2019

07.02.2020

Between:

B. Pinky and another

... Appellants

and

The State of Telangana and others

...Respondents

Counsel for the appellants : Mr. P. Srinivasa Rao

Counsel for the respondents: GP for Cooperation

The Court made the following:



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

The appellants have challenged the legality of the order dated 24.09.2019, passed by a learned Single Judge in W.P.No.19681 of 2019, whereby the learned Single Judge has dismissed the writ petition filed by the appellants.

Briefly, the facts of the case are that the appellants' father, B. Narsinga Rao, was the owner and was in possession of a residential property, to the extent of 227 square yards in plot No.5 in Survey Nos.203/P to 210/P, situated at the TNGO Cooperative Housing Society ("the Housing Society", for short), Manikonda Jagir Village, Gandipeta (formerly Rajendranagar) Mandal, Ranga Reddy District. The said property is part and parcel of an extent of Acs.50.00, which was allotted by the State Government on 09.10.2003. After the property was allotted, the Housing Society developed the same by drawing a lay out for residential plots. The said lay out was approved by the HMDA on 21.05.2011. On 04.06.2011, the Housing Society had issued allotment certificate to the appellants' father and handed over the possession of the property to him.

According to the appellants, their father has been in possession of the said property ever since 04.06.2011; they had approached the Gram Panchayat for seeking permission for construction of a house. The same was accorded on 11.07.2011. Subsequently, their father died on 16.06.2014. The appellants further claim that there was an election to be held for the Society in 2019. Therefore, they represented to the Housing Society that in the place of their father, their name should be substituted, so that they can participate in the election process. However, by resolution dated 29.09.2017, the appellants were informed that the Housing Society had resolved to declare their father as ineligible and disqualified. The appellants were further informed that after

disqualifying their father, the property, in question, was allotted to one Mr. S. Sudhakar Reddy. Therefore, aggrieved by the fact that their property was allotted to a third party, the appellants filed the writ petition before this Court. As mentioned hereinabove, by the impugned order, the said writ petition has been dismissed by the learned Single Judge. Hence, this appeal before this Court.

Mr. P. Srinivasa Rao, the learned counsel for the appellants, informs this Court that during the pendency of the present appeal, the Housing Society has, in fact, re-registered the appellants' father as a member of the Housing Society. The same has been informed to the appellants by the Housing Society. Therefore, the appellants would like to withdraw the writ petition itself.

Since the writ petition itself stands withdrawn, no further order needs to be passed in this writ appeal. Accordingly, the writ appeal is, hereby, disposed of. There shall be no order as to costs.

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

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

07th February, 2020
JSU

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