

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

WEDNESDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 3439 OF 2014

Between:

M/s Sri Laxmi Sai Adds, Represented by its Proprietor S.Rajesh Kumar,
S/o. Veera Bhadra Rao, Aged about 36 Years, Occ:Business, #12-4-80,
Papaiahpet, Warangal - 506 002.

...PETITIONER

AND

1. The State of Andhra Pradesh, Represented by its Secretary to Government,
Secondary Education Department, Secretariat, Hyderabad.
2. The Commissioner, Board of Intermediate Education, Government of Andhra
Pradesh, Nampally, Hyderabad.
3. The Principal, Government Junior College, Hanamkonda, Warangal 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 or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent no.2 in issuing Proceedings No: Acad.I-2/1993/2006, dated 21-01-2014 as illegal, arbitrary and set aside the same and consequently direct the respondents to continue the petitioner's hoardings in the Government Junior College (co-ed), Hanamkonda by renewing licence.

WPMP, No. 4234 OF 2014

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 3rd respondent not to remove/interfere with the petitioner hoardings situated at the Government Junior College (co-ed), Hanamkonda, pending disposal of the writ petition.

Counsel for the Petitioner: SRI V.V. ANIL KUMAR

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.3439 of 2014

ORDER:

This writ petition is filed seeking the following relief:

".....to issue an appropriate writ or order or direction, more particularly, one in the nature of Writ of Mandamus declaring the action of the respondent No.2 in issuing Proceedings No.Acad/1-2/1993/2006, dated 21.01.2014 as illegal, arbitrary and set aside the same, and consequently, direct the respondents to continue the petitioner's hoardings in the Government Junior College (Co-Ed.), Hanamkonda by renewing licence and pass such other order or orders"

Heard Sri V.V. Anil Kumar, learned counsel appearing for the petitioner and the learned Government Pleader for Education appearing for the respondents.

It has been contended by the petitioner that the petitioner was permitted to erect hoardings in the Government Junior College (Co-Ed.), Hanamkonda, vide Proceedings No.Acad/1-2/1993/2006, dated 30.12.2006 and the petitioner was successfully erecting advertisement hoardings in Government Junior College (Co-Ed.), Hanamkonda, by way of renewing the licence from time to time. While so, respondent No.2 has issued impugned Proceedings No.Acad/12/1993/2006, dated 21.01.2014 cancelling the permission granted in favour of the petitioner.

Challenging the said proceedings dated 21.01.2014, the petitioner has filed the present writ petition.

This Court was pleased to pass interim order dated 07.02.2014 and by virtue of the said interim order, the petitioner has been erecting advertisement hoardings in the premises of respondent No.3 - College.

Learned counsel for the petitioner had contended that respondent No.2 has issued impugned proceedings dated 21.01.2014 without issuing any notice and rejected the licence of the petitioner contrary to the Rules. Learned counsel for the petitioner, therefore, contends that appropriate orders be passed in the writ petition directing the respondents to reconsider the case of the petitioner and pass appropriate orders in accordance with law, if the petitioner fulfils the required conditions and the rules for erection of advertisement hoardings in the premises of respondent No.3 - College.

Learned Government Pleader for Education appearing for the respondents had contended that as the petitioner has violated the conditions of licence, respondent No.2 has issued impugned proceedings dated 21.01.2014 cancelling the licence of the petitioner. He further contends that if the petitioner submits a fresh representation, the case of the petitioner would be considered and appropriate orders would be passed in accordance with law granting permission to erect

advertisement hoardings in the premises of respondent No.3 - College.

This Court, having considered the rival submissions made by learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to respondent No.2 within a period of two weeks from the date of receipt of a copy of this order and on such a representation being received, if the petitioner is entitled for erection of advertisement hoardings in respondent No.3 - College, the case of the petitioner shall be considered and appropriate orders be passed in accordance with law within a further period of eight weeks thereafter.

With the above observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-K.VENKAIAH
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Secretary to Government, Secondary Education Department, State of Andhra Pradesh, Secretariat, Hyderabad.
2. The Commissioner, Board of Intermediate Education, Government of Andhra Pradesh, Nampally, Hyderabad.
3. The Principal, Government Junior College, Hanamkonda, Warangal District.
4. One CC to Sri. V.V. Anil Kumar, Advocate [OPUC]
5. Two CCs to GP for Higher Education, High Court for the State of Telangana, [OUT]
6. Two C.D. Copies

Prk

Hvk

HIGH COURT

DATED:27/01/2021

ORDER

WP.No.3439 of 2014



Disposing of the WP.
without costs.

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2/2/21
JLV