

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

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 28184 OF 2022

Between:

Shri. Pinjari BabooMiyan, S/o. Mehboob Saheb, Aged about- 45 years, Occ: Private Employee, R/o H.No. 5-82, Kanukurthy Village, Damarigadda Mandal, Mehboob Nagar District, T.S.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary Panchayat Raj and Rural Development, Mahboobnagar District.
2. The District Collector, Mahboobnagar District, Mahboobnagar, Telangana
3. Kaanukurthy Gram Panchayat, rep. by its Panchayat Secretary, Damarigadda Mandal, Narayanapeta District, Mahboob Nagar, Telangana.
4. Shri. KhasimSaheb, S/o Sri MoulanaSaheb, Aged about 70 years, Occ- Business, R/o H.No. 5-82, Kanukurthy Village, Damarigadda Mandal, Mehboob Nagar District, T.S.

...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 a Writ, more particularly one in the nature of Mandamus, declaring the action of the respondents herein more particularly respondent No.2 in keeping petitioners impugned appeal bearing No. D/604/2020 filed Under/ Sec 121 of the Telangana Panchayat Raj Act, 2018 in abeyance for almost (2) years, not considering the same in accordance with law despite direction issued by this Hon'ble Court in W.P No.16763 of 2020 dated 01.10.2020 as highly illegal, arbitrary, violative of article 14, 21 and 300-A of the constitution and in clear violation of petitioners fundamental rights, against principles of natural justice, in consequence, direct respondent No.2 to conduct hearing, enquiry and dispose off petitioners impugned appeals as expeditiously as possible, in accordance with law.

IA NO: 1 OF 2022

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 grant stay of construction in respect of H.No.5-83, Kanukurthy Village, Damarigadda Mandal, Mahboob Nagar District pending adjudication of the main writ petition.

Counsel for the Petitioner: SRI. MIR MUKARRAM ALI

**Counsel for the Respondent No.1: GP FOR PANCHAYAT RAJ AND
RURAL DEVELOPMENT**

Counsel for the Respondent No.2: GP FOR REVENUE

**Counsel for the Respondent No.3: SRI C. KALYAN RAO,
SC FOR GRAM PANCHAYAT**

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.28184 of 2022

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Panchayat Raj and Rural Development appearing for respondent No.1, the learned Government Pleader for Revenue appearing for respondent No.2, and Sri C. Kalyan Rao, the learned Standing Counsel appearing for respondent No.3. With their consent, the Writ Petition is disposed of at the stage of admission.

2. Aggrieved by the action of the respondent No.2 in not disposing of the Appeal *vide* Appeal No.D/604/2020 filed by the petitioner under Section 121 of the Telangana Panchayat Raj Act, 2018, seeking cancellation of construction permission dated 26.02.2020 granted in favour of the respondent No.5, the petitioner has filed the present writ petition.

3. Considering the nature of grievance of the petitioner, without going into the merits or demerits of the case, the writ petition is disposed of directing respondent No.2 to dispose of the Appeal preferred by the petitioner, if not already disposed of, within a

period of four weeks from the date of receipt of a copy of this order, duly putting the petitioner and all other interested persons on notice and affording them an opportunity of personal hearing.

The miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

SD/-N.RAJAGOPAL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The District Collector, Mahboobnagar District, Mahboobnagar, Telangana
2. One CC to Sri Mir Mukarram Ali, Advocate [OPUC]
3. Two CCs to GP for Panchayat Raj and Rural Development, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to Sri C. Kalyan Rao, SC for Gram Panchayat [OPUC]
6. Two CD Copies
7. Soc

CHR
SW



HIGH COURT

DATED:13/07/2022

ORDER

W.P.No.28184 of 2022



**DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS**

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RMA
10/8/2022