

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

**WEDNESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE P NAVEEN RAO

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

WRIT PETITION NO: 5226 OF 2015

Between:

M/s. Rao's Educational Society, rep. by Secretary and Correspondent, P. Prabhakar Rao, S/o. Kamalakar Rao, aged about 55 years, Rio. 5-8/A, Sangeethnagar, Kukatpally, Hyderabad.

...PETITIONER

AND

1. Andhra Pradesh Grameena Vikas Bank, rep. by Authorized Officer/Chief Manager, Bhupalapally Branch, Warangal District.
2. District Collector and District Magistrate, Warangal District at Warangal.
3. Neerukonda Subba Rao, S/o. Suryanarayana, R/o. Bhupalapally Village and Mandal, 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 a Writ of Mandamus or any other appropriate writ declaring that the action of the respondents in taking physical possession of the premises bearing H.No.9-176 admeasuring 1754.05 sq. yards in Sy.No.452, 455 and 455B situated at Madina Colony, Bhupalapally, Warangal of which the petitioner is having a registered lease of 15 years under document No.990 of 2012, dated 17.05.2012 on the file of the Sub-Registrar, Parkal, Warangal District, is contrary to the law and the ratio laid down by the Supreme Court in 2014 (6) SCC 1 and consequently direct the 1st respondent to open the lock and key and restore possession of the said premises to the petitioner to run High School therein and further direct the 1st respondent not to interfere with the conduct of school in the said premises except in accordance with law.

I.A. NO: 2 OF 2015(WPMP. NO: 6950 OF 2015)

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 1st respondent to open the lock and key and restore possession of the subject premises bearing H.No.9-176 admeasuring 1754.05 sq. yards in Sy.No.452, 455 and 455B situated at Madina Colony, Bhupalapally, Warangal to the petitioner so as to enable the petitioner run a high school therein, pending disposal of the writ petition.

I.A. NO: 1 OF 2015(WVMP. NO: 1993 OF 2015)

Between:

Andhra Pradesh Grameena Vikas Bank, rep. by Authorized Officer/Chief Manager, Bhupalapally Branch, Warangal District, Telangana State,

...PETITIONER/RESPONDENT NO. 1

AND

1. M/s. Rao's Educational Society, rep. by Secretary and Correspondent, P. Prabhakar Rao, S/o. Kamalakar Rao.

...RESPONDENT/PETITIONER

2. District Collector and District Magistrate, Warangal District at Warangal.
3. Sri. Neerukonda Subba Rao, S/o. Suryanarayana, R/o. Bhupalapally Village and Mandal, Warangal District.

...RESPONDENTS/RESPONDENTS

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 vacate the interim order passed in W.P.M.P. No. 6950/ 2015 in W.P. No. 5226/ 2015 dt.03-03-2015.

Counsel for the Petitioner:SRI. M/S BHARADWAJ ASSOCIATES

Counsel for the Respondent No. 1:M/S. V UMA DEVI

Counsel for the Respondent No. 2: GP FOR REVENUE

Counsel for the Respondent No. 3:

The Court made the following:

HON'BLE SRI JUSTICE P. NAVEEN RAO
HON'BLE SRI JUSTICE J. SREENIVAS RAO

W.P. No.5226 of 2015

ORDER: (Per Hon'ble Sri Justice P Naveen Rao)

No representation for petitioner. Learned counsel for respondents submitted that cause in the writ petition does not survive for consideration since concerned account has become operational. Recording the same, the writ petition is dismissed as infructuous. No costs. Miscellaneous applications, if any pending stand closed.

**SD/-G.SIREESHA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to M/S BHARADWAJ ASSOCIATES [OPUC]
2. One CC to M/s. V Uma Devi, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana. [OUT]
4. Two CD Copies.
5. One Spare Copy

PM
SW

HIGH COURT

DATED:17/08/2022



ORDER

WP.No.5226 of 2015

Dismissing the WP
As infructuous
without costs.

SB

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07/12/2022
JVS