

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

MONDAY, THE SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 3177 OF 2023

Between:

1. Abdul Saleem, S/o Abdul Gafoor, Aged 60 years, Occ. Private Employee,
2. Abdul Javeed, S/o Abdul Saleem, Aged 37 years, Occ. Private Employee,
3. Abdul Sattar, S/o Abdul Saleem, Aged 35 years, Occ. Private Employee,
4. Taimeena, D/o Abdul Saleem, Aged 33 years, Occ. Private Employee, All are
R/o H.No.12-2-823/A/159/A, Santosh Nagar, Mehdipatnam, Hyderabad-
500028.

...PETITIONERS

AND

1. State of Telangana, Rep. by its Principal Secretary Department Revenue,
Secretariat Buildings, Saifabad, Hyderabad
2. The District Collector-cum-Appellate Authority Under Welfare of Parents and
Senior Citizens Act, Hyderabad District, Hyderabad.
3. The Revenue Divisional Officer-cum-Sub-Divisional Magistrate and Tribunal
Under Welfare of Parents and Senior Citizens Act, Hyderabad Division,
Hyderabad District.
4. The Tahsildar, Asifnagar Mandal, Hyderabad.
5. The Assistant Commissioner of Police, Asifnagar, West Zone, Hyderabad
Commissionerate, Hyderabad.
6. The Station House Officer, Asifnagar Police Station, Hyderabad.
7. Adbdul Gafoor, S/o Late Mohammed Hussain, Occ. Nil, R/o H.No.12-2-
823/A/159/A, Santosh Nagar, Mehdipatnam, Hyderabad-500028.

...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 order or direction more particularly one in the nature of Writ of Certiorari and call for the records and quash a)the Orders, dated 01-10-2022 in Case No.D/5106/2022, passed by the Respondent No.3-Tribunal, under the

provisions of Maintenance and Welfare of Parents and Senior Citizens Act, in directing the petitioners to vacate the house premises bearing H.No.12-2-823/A/159/A, Santosh Nagar, Mehdipatnam, Hyderabad-500028, without proper consideration and application of the Act and b) the action of the Respondents No.4 to 6 herein in illegal interference into the house property bearing H.No.12-2-823/A/159/A, Santosh Nagar, Mehdipatnam, Hyderabad-500028, thereby by trying to vacate the petitioners from the said premises being illegal, arbitrary, unconstitutional and without jurisdiction, contrary to the provisions of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and violative of Articles 14, 21 and 300-A of Constitution of India and c) consequently direct the Respondents not to interfere into the civil disputes pending between the petitioner No.1 and the Respondent No.8 under the guise of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007;

IA NO: 1 OF 2023

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 dispense with the filing of the Certified Copy of the Order, dated 01-10-2022 in Case No.D/5106/2022, passed by the Respondent No.3-Tribunal, pending disposal of the writ petition;

Counsel for the Petitioners: SRI. G POORNASRI

Counsel for the Respondent Nos 1 to 4: GP FOR REVENUE

Counsel for the Respondent Nos 5 & 6: GP FOR HOME

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.3177 of 2023

ORDER:

After arguing for some time, learned counsel for the petitioners seek permission of this Court to withdraw the present Writ Petition with a liberty to challenge the order dated 28.12.2022 passed by Appellate Tribunal, District Collector & Magistrate, Hyderabad.

Permission is accorded.

Granting liberty as sought, this writ petition is dismissed as withdrawn. There shall be no order as to costs

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

**SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. G POORNASRI Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, Hyderabad. [OUT]
3. Two CCs to GP FOR HOME, High Court for the State of Telangana, Hyderabad. [OUT]
4. Two CD Copies

HIGH COURT

KL, J

DATED: 06/02/2023

ORDER

WP.No.3177 of 2023



**WP IS DISMISSED AS WITHDRAWN
OF WITHOUT COSTS**