

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

THURSDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 9394 OF 2023

Between:

G.T.Raghavendra, S/o. G.T.Venkateshwarlu, aged about 40 years, Occ:
Business, R/o. Kothakota village and Mandal, Wanaparthy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Food Safety Department, Secretariat, Hyderabad.
2. The Food Safety Officer, Wanaparthy District, at Wanaparthy.
3. The Food Safety Designated Officer, Wanaparthy District, Code No. 029, Wanaparthy.
4. G. T. Veerendar, S/o. G.T.Venkateshwarlu, aged about 37 years, Occ: Business, R/o. Kothakota village and Mandal, Wanaparthy 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 order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd and 3rd respondents in issuing the notice dated 31-03-2023 issued by the 3rd respondent and 01.04.2023 issued by the 2nd respondent by making false allegations in running the hostel under name and style of M/s. Kavith Hostel at Kothakota village and Mandal, Wanaparthy District, as filed by the 4th respondent and interfering with the day to day running the above hostel by the petitioner by taking all precautions and in providing safety food to the boards, though the petitioner have submitted his explanation dated 03-04-2023, as illegal, unlawful, contrary to law and consequently direct the respondents to consider the above explanation and close the false complaint as against the petitioner as filed by the 4th respondent.

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 issue interim order directing the 2nd and 3rd respondents to consider the explanation dated 03-04-2023 submitted by the petitioner to the notice dated 31-03-2023 issued by the 3rd respondent and 01-04-2023 issued by the 2nd respondent and pending consideration of the said explanation, the respondents shall not interfere with day to day running of the hostel by name M/s. Kavitha Hostel at Kothakota village and Mandal, Wanaparthy District, pending disposal of main Writ Petition.

Counsel for the Petitioner: SRI M.DAMODAR REDDY

Counsel for the Respondent Nos.1 TO 3: GP FOR MEDICAL HEALTH AND FAMILY WELFARE

Counsel for the Respondent No.4: SRI MALLU NETHAN REDDY

The Court made the following: ORDER

THE HON'BLE MRS JUSTICE SUREPALLI NANDA

W.P.No.9394 of 2023

ORDER:

Heard Mr. M. Damodar Reddy, learned Counsel for the petitioner, learned Government Pleader for Medical and Health appearing for respondents 1 to 3 and Sri Mallu Nethan Reddy, learned counsel appearing for the 4th respondent.

2. The petitioner in the present writ petition sought relief as follows:

"to issue an order or direction more particularly one in the Writ of Mandamus declaring the action of the 2nd and 3rd respondents in issuing the notice dated 31.03.2023 issued by the 3rd respondent and 01.04.2023 issued by the 2nd respondent by making false allegations in running the hostel under name and style of M/s. Kavitha Hostel at Kothakota village and Mandal, Wanaparthy District, as filed by the 4th respondent and interfering with the day to day running the above hostel by the petitioner by taking all precautions and in providing safety food to the boards, though the petitioner have submitted his explanation dated 03.04.2023, as illegal, unlawful, contrary to law and consequently

direct the respondents to consider the above explanation and close the false complaint as against the petitioner as filed by the 4th respondent, and pass such other order".

3. This Court passed interim orders on 06.04.2023 as follows:

"Notice before admission.

The respondent Nos.2 and 3 are directed to consider the explanation dated 03.04.2023 submitted by the petitioner to the notice dated 31.03.2023 issued by the 3rd respondent and 01.04.2023 issued by the 2nd respondent within a period of three weeks from the date of receipt of copy of this order.

In the meantime till the decision is taken duly considering the explanation dated 03.04.2023 submitted by the petitioner to the notice dated 31.03.2023 issued by the 3rd respondent and 01.04.2023 issued by the 2nd respondent, the respondents shall not take any coercive steps against the petitioner.

List on 27.04.2023."

4. It is represented by both the petitioner counsel and the counsel appearing on behalf of the respondents that the writ petition could be disposed off duly considering the interim

orders dated 06.04.2023 (extracted above). In view of the fact as borne on record that the relief sought for by the petitioner in the interim application and the main writ petition are one and the same hence, this Court opines that the present writ petition may be disposed off in the same lines.

5. Having regard to the facts and circumstances of the case and the submissions of learned counsel on record, the writ petition is disposed of directing respondent Nos.2 and 3 to consider the explanation dated 03.04.2023 submitted by the petitioner to the notice dated 31.03.2023 issued by the 3rd respondent and to the notice dated 01.04.2023 issued by the 2nd respondent, within a period of three weeks from the date of receipt of copy of this order. Till the decision is taken duly considering the explanation dated 03.04.2023 submitted by the petitioner to the notice dated 31.03.2023 issued by the 3rd respondent and 01.04.2023 issued by the 2nd respondent, the respondents shall not take any coercive steps against the petitioner. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ
Petition, shall stand closed.

//TRUE COPY//

SD/- V.KAVITHA
ASSISTANT REGISTRAR
GP
SECTION OFFICER

To

1. The Food Safety Officer, Wanaparthy District, at Wanaparthy.
2. The Food Safety Designated Officer, Wanaparthy District, Code No. 029, Wanaparthy.
3. One CC to SRI M.DAMODAR REDDY, Advocate [OPUC]
4. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI MALLU NETHAN REDDY, Advocate [OPUC]
6. Two CD Copies

PSK

GJP 

HIGH COURT

DATED:27/04/2023

ORDER

WP.No.9394 of 2023



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

9
MA
15/5/23