

[3302]

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

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 39128 OF 2014

Between:

1. Krishnaiah, s/o Balappa, Age 51 years, Occ Business,
2. J.Sreenivasulu, s/o J.Krishnaiah, Age 41 years, Occ Business,
3. P.Guruvaiah Goud, s/o Chandrappa Goud, Age 45years, Business
4. Smt.K.Lavanya, w/o K.Narayana, aGe 39years, Business,
5. Smt.S.Kavitha, w/o S.Thirupathaiah, Age 28years, Business
6. Sreenivas Yadav, s/o Vasanth, AGE 36years, Business,
7. Mangali Chandra Shekar, s/o M.Narsimhulu, 35years, Business,
8. Ravi, s/o Vasanthu, Age 39years, Occ Business

All are r/o Marikal village, Dhanwada Mandal, Mahabubnagar District.

AND

...PETITIONERS

1. The State of Telangana, represented by its Secretary, Department of Panchayat Raj, Telangana Secretariat, Hyderabad.
2. The District Panchayat Officer, Mahabubnagar.
3. The Divisional Panchayat Officer, Narayanpet, Mahabubnagar District.
4. The Gram Panchayat, Marikal. Rep by the, Panchayat Secretary, Marikal Gram Panchayat, Dhanwada Mandal, Mahabubnagar 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 Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the Notice in GP No/GN1/2014, Dated- 10-12-2014 issued by the 4th Respondent directing the petitioners for removing the shutters/shops No- Nos.1, 2, 3, 4, 5, H.No-1-146/14/1 H.No- 1-146/14/2 H.No- 1-146/14/3(Shop No.3) H.No-1-146/14/4 situated at Markal village, Dhanwada Mandal, Mahabubnagar District., during subsistence of the agreement period, as illegal, arbitrary, unjust, contrary to the principles of natural justice and has the effect of violation of fundamental rights guaranteed to the petitioners u/a 14, 19(i)(g) and 21 of the Constitution of India and consequently set aside the same,

directing the Respondents not to evict the petitioners from their shops during the subsistence of the agreement period

I.A. NO: 1 OF 2014(WPMP. NO: 49051 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 Respondents No.4 not to evict the petitioners from their shutters/shops No: Nos.1, 2, 3, 4, 5, H.No: 1-146/14/1; H.No: 1-146/14/2; H.No: 1-146/14/3(Shop No.3); H.No:1-146 / 14 /4 situated at Markal village, Dhanwada Mandal, Mahabubnagar District

Counsel for the Petitioner: SRI K. VENKATESH GUPTA

**Counsel for the Respondent Nos. 1to3: GP FOR PANCHAYAT RAJ &
RURAL DEVELOPMENT**

**Counsel for the Respondent No.4: SRI P. RAGHAVENDRA REDDY,
SC FOR TG-MPPS GPPS**

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SARATH

W.P.No.39128 of 2014

ORDER:

This writ petition is filed seeking to declare the notice dated 10.12.2014 issued by the respondent No.4 directing the petitioners to remove the shutters/shop Nos.1,2,3,4,5, H.No.1-146/14/1, H.No.1-146/14/2, H.No.1-146/14/3 (Shop No.3), H.No.1-146/14/4 situated at Markal Village, Dhanwada Mandal, Mahabubnagar District during subsistence of the agreement period as illegal and arbitrary.

2. At the time of admission, this Court granted interim order of *status quo* on 22.12.2014. As the agreement between the petitioners and the respondent No.4 expired on 19.12.2015, no further orders are required to be passed in the present writ petition.

3. Accordingly, the Writ Petition is closed. No order as to costs.

/ /

4. Miscellaneous applications, if any pending in this petition, shall stand closed.

SD/- P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
2. One CC to SRI. K. VENKATESH GUPTA, Advocate [OPUC]
3. One CC to SRI. P. RAGHAVENDRA REDDY, SC FOR TG-MPPS GPPS [OPUC]
4. Two CD Copies

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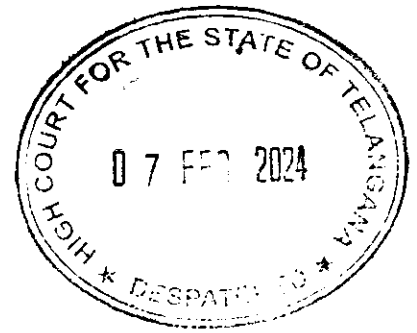
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HIGH COURT

DATED:29/12/2023

ORDER

WP.No.39128 of 2014



CLOSING THE WRIT PETITION WITHOUT COSTS

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