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

TUESDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 34077 OF 2013

Between:

1. Sri Sumit Krishna S/o.late Sri M.Bharat Rao, aged 24 years, Occ Business R/o Shop No.9 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
2. Sri Ganala Srinivas S/o. Sri G.G.Gandaiah, aged 43 years, Occ Business R/o Shop No.4 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
3. Sri Mohd.Ghouse Khan, S/o.Sri Md.Jahangir Khan, aged 40 years, Occ Business R/o Shop No.6 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
4. Sri Md.Hameed Khan S/o.Sri Md.Jahangir Khan, aged 37 years, Occ Business R/o Shop No.7 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
5. Sri Chandra Mohan, S/o.Sri M.Gopal Rao, aged 42 years, Occ Business R/o Shop No.8 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
6. Sri Suresh Kumar S/o.Sri Babulal, aged 62 years, Occ Business R/o Shop No.3 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
7. Sri Shaik Sardar S/o. late Sri Ghouse Mohiuddin, aged 47 years, Occ Business R/o Shop No.10 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
8. Sri D.Sudershan S/o Late D.Adivaiah, aged 53 years, Occ Business R/o C/o Shop No.1 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.
9. Sri Chandra Sekhar S/o R.Balraj, aged 34 years, Occ Business R/o Shop No.2 at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad.

...PETITIONERS

AND

1. Registrar of Co.operative Societies, Nampally, Hyderabad.
2. The Joint Sub Registrar & Special Officer, Banjara Hills, Hyderabad.
3. Sri Venkateswara Co.op. Housing Building Societies Ltd, for A.P. Legislators Ltd., at premises No.8-2-293/82/L/S/12, Road No.12, Banjara Hills,

Hyderabad rep. by its Person In charge, Sri Srinivas Rao, District Co.operative Officer.

4. Additional Registrar/District Co.op Officer (I/c), Person-in-charge, Sri Venkateswara Co.op. House Building Society, H.No.8-2-293/82/L/S/12, Road No.12, Banjara Hills, Hyderabad

...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, Order or Direction in the nature of Mandamus or otherwise declaring the action of the third Respondent in issuing tender notice dated 16-11-2013 published in Eenadu telugu daily calling for sealed tenders for leasing out 11 shops in Sri Venkateswara Co.operative House Building Society Housing Complex, Banjara Hills, Road No.12, MLA Colony, Hyderabad is bad, illegal, ultra vires the powers of the second respondent, non est in law and is opposed to articles 14 and 19 of the Constitution of India, violation of principles of natural justice and consequently declare the same as unenforceable in law.

I.A. NO: 1 OF 2013(WPMP. NO: 42400 OF 2013)

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 suspend the tender notice dated 16-11-2013 published in Eenadu Telugu daily calling for sealed tenders for leasing out 11 shops in Sri Venkateswara Co.operative House Building Society Housing Complex, Banjara Hills, Road No.12, MLA Colony, Hyderabad, pending disposal of this Writ Petition.

Counsel for the Petitioner: SRI T.S.PRAVEEN KUMAR

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE T.MADHAVI DEVI

W.P.NO. 34077 OF 2013

ORDER:

In this writ petition, the petitioners are challenging the action of the respondents in issuing the tender notice dated 16.11.2013 calling for sealed tenders for leasing out 11 shops in respondent No.3 Society as illegal, ultra vires the powers of the respondent No.2 and to pass such other order or orders in the interest of justice.

2. There was no interim order granted by this Court and there was no counter filed by the respondents so far. It is noticed that due to lapse of time, the term of the tender itself has lapsed and there would have been lot of changes in the occupation of the said shops. Therefore, this Court is of the opinion that the writ petition has become infructuous by efflux of time.

3. Accordingly, this writ petition is closed, however, with liberty to the petitioners to seek recall of the order if the cause in the writ petition survives. There shall be no order as to costs.

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

SD/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI T.S.PRAVEEN KUMAR, Advocate [OPUC]
2. Two CCs to GP FOR COOPERATION, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CD Copies

BSR
BN

HIGH COURT

TMD,J

DATED: 19/11/2024



ORDER

WP.No.34077 of 2013

CLOSING THE WRIT PETITION,

WITHOUT COSTS

PA
19/12/24
6 Copies