

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

THURSDAY, THE THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 7868 OF 2024

Between:

Mahabub Ali, S/o. Late Khatal Ahmed, Age 41 years, Occ ; Driver,
R/o Ramakistayapally Village, Dhanwada, Mandal, Narayanpet District.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Panchayatraj Department, Secretariat buildings, Secretariat, Hyderabad.
2. The District Collector, Narayanpet, Narayanpet District.
3. The Additional Collector, (Local Bodies) Narayanpet, Narayanpet District.
4. The Divisional Panchayat Officer, Narayanpet, Narayanpet District.
5. The Panchayat Secretary, Gr. IV, Ramakistayyapalli Grampanchayat, Dhanwada Mandal, Narayanpet District.
6. Chandpasha, S/o. Late Khatal Ahmed, Aged 37 years, Occ. Agriculture, R/o.H.No.1-02, Minaspur Village, Yadgir District, Karnataka State.
7. Mohd Khasim, S/o. Late Khatal Ahmed, Aged 35 years, Occ. Agriculture, R/o H.No.1-02, Minaspur Village, Yadgir District, Karnataka State.
8. Smt. Hajju @ Aju, W/o. Khasim @ Mohd. Khasim, Aged about 36 years, Occ. Housewife, R/o. H.No.1-2-63A, Ramakistayyapalli Village, Dhanwada Mandal, Narayanpet 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, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent no.3 in not taking any action upon enquiry report dated 29.01.2024 given by the respondent no.4 vide

Lr.No.A1/02/2024 to respondent no.3 about construction of house by respondent no.7 without requisite permission as illegal, arbitrary and unconstitutional and consequently direct the respondent no.3 to take appropriate steps as per law in pursuant to the enquiry report dated 29.01.2024 given by the respondent no.4 vide Lr.No.A1/02/2024.

I.A.NO:1 OF 2024

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 stay of illegal construction made by the respondents nos.6,7 and 8 and their representatives as per the report enquiry report issued by the respondent no.4 vide Lr.No.A1/02/2024 dated 29.01.2024 in H.No.2-63 of Ramakistayyapalli Village of Dhanwada Mandal, Narayanpet District, pending disposal of the above wit petition.

Counsel for the Petitioner : SRI NAGESHWAR RAO PUJARI

Counsel for the Respondent No.1 & 4 : GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT

Counsel for the Respondent Nos.2 & 3 : G.P FOR REVENUE

Counsel for the Respondent Nos. 5 : SRI R.CHANDRA SHEKAR REDDY

Counsel for the Respondent Nos.6 to 8 : --

The Court made the following ORDER

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.7868 OF 2024

ORDER:

Heard learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj and Rural Development for the respondent No.1, learned Standing Counsel for the respondent No.5, learned counsel for the respondent No.7 and perused the record.

2. Learned counsel for the petitioner submits that after filing the writ petition, the respondent-authorities have stopped the construction being made by the respondent Nos.6 to 8. In view of the same, no cause survives in this petition.

3. Learned counsel for the respondent No.7 submits that after filing the writ petition the respondent Nos.6 to 8 filed an application for construction of House building permission before the

Gram Panchayat and the same is still pending for consideration. In view of the same, requested to direct the authorities to pass appropriate orders, without taking into account the pendency of the writ petition.

4. In view of the submissions made by both sides, without going into the merits of the case, the writ petition is closed and the respondent-authorities are directed to pass appropriate orders on the application filed by the respondent Nos.6 to 8 as per the Telangana Panchayat Raj Act, 2018. There shall be no order as to costs.

5. As sequel to it, Miscellaneous Petitions, if any pending, shall stand closed.

SD/- P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT, High Court for the State of Telangana at Hyderabad. [OUT]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to SRI NAGESHWAR RAO PUJARI, Advocate [OPUC]
4. One CC to SRI R.CHANDRA SHEKAR REDDY, Advocate (OPUC)
5. Two CD Copies

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HIGH COURT

DATED:03/10/2024

ORDER

WP.No.7868 of 2024



CLOSING THE W.P
WITHOUT COSTS.

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4/12/24
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