

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

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

PRESENT

THE HON'BLE SRI JUSTICE C. V. BHASKAR REDDY

WRIT PETITION NO: 29346 OF 2024

Between:

Gayam Mahender Reddy, S/o Late Krishna Reddy, aged about 54 years. Occ. Employee. R/o H. no. 13-43-38/902, Sai Hills Colony, Medipally, Medchal-Malkajgiri District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department Women, Children, Disabled and Senior Citizens, Secretariat, Hyderabad.
2. The District Collector, Yadadri-Bhongiri District.
3. The Chairman Sub-Divisional Tribunal of Welfare of Parents and Sr. Citizens and RDO, Bhongiri Division, Yadadri-Bhongiri District.
4. Gayam Java Pradha, W/o Late Krishna Reddy. Aged about 68 years, Occ. Home Maker. R/o H. no. 5-4/1, Ranganayaka Veedhi. Alair Mandal, Yadadri-Bhongiri District.
5. Yedulla Manjula, W/o late Krishna Reddy. Aged 50 years. Occ. Home Maker. R/o Peddakarthi Village, Nalgonda District.
6. Kategommula Mamatha, W/o Vidva Sagar Reddy, Aged about 48 years. Occ. Home Maker. R/o H. no. 5-4/1, Ranganayaka Veedhi. Alair Mandal, Yadadri-Bhongiri 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 appropriate Writ, order or direction. more particularly one in the nature of Writ of mandamus declaring the action of the Respondent No. 2 in dispose the Appeal No. 1993/2024, to set aside the proceedings No. E/1138/2023, Dt. 21-08-2023 passed by the Respondent No.3 and also consequential order for attachment of salary vide Order Dt. 15-03-2024. is illegal, arbitrary and violation of articles 14, 15, 21 of constitution of India. consequently direct the Respondent No.2 to dispose the Appeal No. 1993/2024. as early as possible

IA 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 all further proceedings with regard to orders vide No. E/1138/2023, Dt. 21-08-2023

passed by the Respondent No.3 and also consequential order for attachment of my salary vide Order Dt. 15-03-2024

Counsel for the Petitioner: SRI RAPOLU BHASKAR

**Counsel for Respondent Nos. 1 to 3: GP FOR WOMEN DEVELOPMENT &
CHILD WELFARE**

Counsel for Respondent Nos. 4 to 6: -----

The Court made the following: ORDER

HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY**WRIT PETITION No.29346 of 2024****ORDER:**

This writ petition is filed seeking the following relief:

"to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of mandamus declaring the action of the Respondent No.2 in dispose the Appeal No.1993/2024, to set aside the proceedings No.E/1138/2023, Dt. 21-08-2023 passed by the Respondent No.3 and also consequential order for attachment of my salary vide Order Dt.15-03-2021, is illegal, arbitrary and violation of articles 14, 15, 21 of constitution of India, consequently direct the Respondent No.2 to dispose the Appeal No.1993/2024, as early as possible and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case".

2. It is the case of the petitioner that he is the son of the 4th respondent and his mother filed an application on the file of the 3rd respondent and the same was accepted under Section 5 of the Parental and Elderly Maintenance and Welfare Act, 2007 (for short "the Act, 2007") vide case No.E/1138/2023. It is further stated that the in the said case, 3rd respondent vide orders dated 21.08.2023 directed him to pay an amount of Rs.10,000/- per month towards maintenance and also an amount of Rs.5,00,000/- towards future maintenance of his mother. It is further stated that the Tribunal has passed the said orders without issuing any notice, without conducting any enquiry and without taking note of the fact that the 4th respondent is enjoying as pattedar over the land to an extent of Ac.05 05 guntas and also receiving returns from the said

land. It is further stated that aggrieved by the orders dated 21.08.2023 along with consequential salary attachment order, dated 15.03.2024, the petitioner approached this Court vide WP.No.10248 of 2024 and as per the orders of this Court, the petitioner filed Appeal vide No.1993 of 2024 before the 2nd respondent seeking to set aside the proceedings No.E/1138/2023, dated 21.08.2023 and salary attachment order dated 15.03.2024,

3. It is the grievance of the petitioner that the aforesaid appeal has been pending since long time and his salary has been attached, it would cause irreparable loss and hardship to him. Hence, the present writ petition is filed seeking direction to respondent No.2 to dispose of aforesaid appeal as early as possible.

4. Considered the submissions of the learned counsel for the parties and with their consent this writ petition is disposed of at the admission stage and in view of the relief sought in this writ petition, issuance of notice to the un-official respondents is dispensed with.

5. Learned counsel for the petitioner submitted that the petitioner is the son of the 4th respondent and that the 4th respondent's name is recorded as pattedar and possessor of the land to an extent of Ac.05-05 guntas and she is enjoying the benefits arriving from the cultivation of the said land. He further

submitted that the 3rd respondent without issuing any notice or without conducting any enquiry, has directed the petitioner to pay an amount of Rs.10,000/- per month towards maintenance besides directing him to deposit an amount of Rs.5,00,000/- towards future maintenance.

6. In view of the said submissions, since it is stated that the petitioner has filed an appeal on the file of the 2nd respondent, the ends of justice would be met, if this writ petition is disposed of directing the 2nd respondent to dispose of the said appeal after hearing all concerned including respondent Nos.4 to 6 and pass appropriate orders in accordance with the provisions of the Act, 2007. Pending disposal of the said appeal, the petitioner herein is directed to deposit the amount of Rs.10,000/- per month into the account of the 4th respondent regularly which was granted by the 3rd respondent vide orders dated 21.08.2023 and so far as the amount of Rs.5,00,000/- granted towards future maintenance is concerned, it shall be subject to the outcome of the appeal filed by the petitioner before the 2nd respondent.

7. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

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

//TRUE COPY//

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

SECTION OFFICER

To,

1. The District Collector, Yadadri-Bhongiri District.
2. The Chairman Sub-Divisional Tribunal of Welfare of Parents and Sr. Citizens and RDO, Bhongiri Division, Yadadri-Bhongiri District.
3. One CC to Sri Rapolu Bhaskar Advocate [OPUC]
4. Two CCs to GP For Women Development & Child Welfare, High Court for the State of Telangana. [OUT]
5. Two CD Copies

MBC



HIGH COURT

DATED: 23/10/2024



ORDER

WP.No.29346 of 2024

DISPOSING OF WRIT PETITION

WITHOUT COSTS

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