

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

WEDNESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 43129 OF 2022

Between:

Gadepaga Sahadev (Sadanand), S/o. Late Maisaiah, Age. 64 years, Occ.
Business, R/o. 6-18-730/1, Adarshnagar, Nizamabad

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Home Department, Secretariat Building, Secretariat, Hyderabad.
2. The Commissioner of Police, Nizamabad District.
3. The Station House Officer, Town - III, Nizamabad District.
4. Bukhari Trade Fair Exhibition, H.No. 2-3-302, Monnipura, Renjal Base, Bodhan, Nizamabad District. Rep. by its Proprietor M/s. Sana Amusement Rides, Premises No. 16-11-16/A/69, Afzal Nagar, Saleem Nagar, Malakpet, Hyderabad.
5. Mirza Rafeeq Baig, S/o. Mirza Mohiuddin Baig, age. 53 years, Occ. Proprietor, M/s. Sana Amusement Rides, Premises No. 16-11-16/A/69, Afzal Nagar, Saleem Nagar, Malakpet, 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 any order, direction, or Writ, more particularly in the nature of Writ of Mandamus declaring the said inaction of the Respondents, more particularly the 2nd and 3rd Respondents in failing to take any action against illegal activities without any permission including police permission pursuant to the representations dated 22.11.2022 and 24.11.2022 made by the Petitioner herein, as being illegal, arbitrary, unconstitutional apart from being violative of articles 14, 21 and 300A of the Constitution of India and consequently direct the 2nd and 3rd Respondents to remove materials that have been set up by the Respondent No. 4 and 5 for conducting the exhibition over land admeasuring to an extent of Ac. 2-00 Gts in Sy. No. 3/AA, situated at Kanteshwar, Nizamabad

IA NO: 1 OF 2022

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 2nd and 3rd Respondents to forthwith consider the representations dt. 22.11.2022 and dt. 24.11.2022 made by the Petitioner pending the disposal of the above Writ Petition and may be pleased.

IA NO: 2 OF 2022

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 2nd and 3rd Respondents to remove materials that have been set up by Respondent No. 4 and 5 for conducting the exhibition over land admeasuring to an extent of Ac. 2-00 Gts in Sy. No. 3/AA, situated at Kanteshwar, Nizamabad and may be pleased.

Counsel for the Petitioner: SRI T. GANGADHAR

Counsel for the Respondent No.1 to 3: GP FOR HOME

Counsel for the Respondent No.4 & 5: - - - -

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION No.43129 of 2022

ORDER:

The learned counsel for petitioner seeks permission of the Court to withdraw the writ petition, with a liberty to approach Civil Court.

Permission is accorded. Accordingly, the writ petition is dismissed as withdrawn with liberty as prayed for. The miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-L.SIVA PARVATHI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI T. GANGADHAR, Advocate [OPUC]
2. Two CCs to GP FOR HOME, High Court for the State of Telangana [OUT]
3. Two CD Copies

BN
BS

HIGH COURT

DATED:30/11/2022

ORDER

WP.No.43129 of 2022



DISMISSING THE WP
AS WITHDRAWN
WITHOUT COSTS

AK
27/12
(6)