

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT APPEAL NO: 1061 OF 2024

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 01/12/2023 in the W.P.No.32707 of 2023 on the file of the High Court.

Between:

M. Abhishek, S/o: M. Vykunta Rao, Aged about 31 years, Occ: Pvt. Employee, R/o H. No 46/1, Road no. V, Brundavan Hills, Nizampet municipality, Bachipally mandal, M- M Dist. , - 90.

...APPELLANT

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Station House Officer, Bachupally Police Station, Cyberabad commissionerate.
3. The Municipal Commissioner, Nizampet Municipal Corporation, Nizampet Village, Rangareddy District.
4. The Tahsildar, Bachupally Mandal, Nizampet Village, Rangareddy District.

...RESPONDENTS/RESPONDENTS NO.1 TO 4

5. Vemula Suresh, S/o: V. Shankariah, Aged about 50yrs, Occ: Business, R/o Flat no. 303, Sri Koteswara Residency, Jayanagar, Kukatpally, Hyd- 72.

...APPELLANT/WRITPETITIONER

IA NO: 4 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 suspend the operation of the Judgment of the Learned Single dated 01. 12. 2023 passed in WP No. 32707 of 2023, pending disposal of the Writ Appeal.

Counsel for the Appellant: M/S M. SIRISHA RANI

Counsel for the Respondent No.1 and 2: GP FOR HOME

Counsel for the Respondent No.3: SRI B. JAGAN MADHAV RAO, SC

Counsel for the Respondent No.4: GP FOR REVENUE

Counsel for the Respondent No.5: SRI CH. RAVINDER

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.1061 of 2024

JUDGMENT: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Ms. M.Sirisha Rani, learned counsel for the appellant.

Mr. Mahesh Raje, learned Government Pleader for Home for the respondents No.1 and 2.

Mr. K.Ram Chandra Reddy, learned counsel representing Mr. B.Jagan Madhav Rao, learned counsel for the respondent No.3.

2. This intra court appeal is filed against the order dated 01.12.2023 by which the writ petition preferred by the respondent No.5, namely W.P.No.32707 of 2023, has been disposed of.

3. Admittedly, the appellant is not a party to the order dated 01.12.2023 passed by the learned Single Judge.

4. In view of the law laid down by the Supreme Court in **Shivdev Sirgh v. State of Punjab**¹, the appellant has the remedy of review available before the learned Single Judge.

5. Therefore, the writ appeal is disposed of with the liberty to the appellant to take recourse to the remedy of review or to file a fresh writ petition.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/- B. SATYAVATHI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat Buildings, The State of Telangana, Hyderabad.
2. The Station House Officer, Bachupally Police Station, Cyberabad commissionerate.
3. The Municipal Commissioner, Nizampet Municipal Corporation, Nizampet Village, Rangareddy District.
4. The Tahsildar, Bachupally Mandal, Nizampet Village, Rangareddy District.
5. One CC to M/s. M. Sirisha Rani, Advocate [OPUC]
6. One CC to Sri B. Jagan Madhav Rao, SC[OPUC]
7. One CC to Sri CH. Ravinder, Advocate[OPUC]
8. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

TJ


¹ AIR 1963 SC 1909

HIGH COURT

HCJ
&
JSR,J

DATED:09/09/2024



JUDGMENT

WA.No.106 of 2024

DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS

①2

18/09/24
B:K