

[3418]

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

MONDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

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

WRIT PETITION (PIL) (SR) NO: 38812 OF 2024

Between:

Dr. K.A. Paul @ Kilari Anand Paul, S/o. Baranbas, aged 60 years, Occ:
President of Praja Shanthi Party, Global Peace President, R/o. 382, Aparjitha
Colony, Ameerpet, Hyderabad.

...PETITIONER

AND

1. State of Telangana, Rep. by its Chief Secretary, Government of Telangana, Secretariat, Hyderabad.
2. The Chief Minister, State of Telangana, Dr. BR Ambedkar Telangana Secretariat, 6th Floor, 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 an appropriate Writ, Order or direction mostly one which is in the nature of a Writ of Mandamus to

1. Issue an appropriate writ, order, or direction to Mr. Revanth Reddy, the Honorable Chief Minister of Telangana, to honor his commitments on behalf of the State of Telangana by supporting and participating in the Global Peace and Economic Summit, which is essential since it aims at attracting substantial investments crucial for the state's economic growth, fostering regional cooperation, promoting prosperity, and advancing the state's economic development in alignment with the principles of public welfare and equitable growth, as enshrined in Article 38 of the Constitution of India, which mandates

the State to strive to promote the welfare of the people by securing a social order that provides justice, social, economic, and political.

2. Issue further appropriate directions, orders, or writs to ensure that the fundamental rights of the petitioner, as guaranteed under Articles 14, 19, and 21 of the Constitution of India, are safeguarded and upheld, asserting that the right to equality (Article 14), freedom of speech (Article 19(1)(a)), and livelihood, which is integral to the right to life (Article 21), is protected. The Honourable Supreme Court, in *Maneka Gandhi v. Union of India* (1978 AIR 597), held that the right to life includes the right to livelihood, and any action by the State that interferes with these rights must pass the test of reasonableness. The Global Peace and Economic Summit which is to be held on October 2nd, 2024 on Mahatma Gandhi's birthday now postponed to Gandhi's death Anniversary on 30th January 2025, which plays a key role in fostering public welfare and economic progress, requires that the State Government acts in collaboration with the petitioner to realize these objectives, ensuring that his fundamental rights are not infringed, as upheld in *Olga Tellis and Ors v. Bombay Municipal Corporation* (AIR 1986 SC 180).

3. Grant such other and further relief as this Honorable Court may deem fit and proper in the interest of justice and equity, considering the critical nature of this petition for the overall economic growth and development of the region. The Court may be pleased to take any additional steps necessary to uphold the objectives of promoting social welfare and regional development, as guided by the principles established in *Vishaka and Ors. v. State of Rajasthan* (1997) 6 SCC 241, which held that the State has a duty to take affirmative action for the protection of fundamental rights, and also in light of the directive principles enshrined in Article 39(b), emphasizing that resources should be utilized for the common good.

In addition, the Honourable High Court of Telangana and Andhra Pradesh has consistently held in various decisions that economic development and public welfare are intertwined and that the State has a duty to ensure equitable growth. Reference may be made to *State of Andhra Pradesh v. McDowell and Co.* (AIR

1996 AP 368), where the Honourable Court emphasized the responsibility of the State to secure investments that benefit public welfare and economic progress.

**Counsel for the Petitioner: SRI Dr. K.A.PAUL @ KILARI ANAND PAUL
(PARTY-IN-PERSON)**

Counsel for the Respondent No.1: SRI G.VEERASWAMY, GP FOR GEN. ADMN

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION (PIL) (SR) No.38812 OF 2024

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

Dr. K.A.Paul @ Kilari Anand Paul, party-in-person/petitioner.

Mr. G.Veerawamy, learned Government Pleader for General Administration Department for respondent No.1.

2. Heard on the question of admission.
3. The petitioner claims to be the global peace President and humanitarian. The petitioner is the President of Praja Shakti Party, a political party. As per the averments made in the writ petition, the petitioner has organised hundreds of peace rallies and high profile international conferences. The petitioner proposes to organise an International Peace Summit in the State of Telangana on 30.01.2025.
4. The petitioner has pleaded in the writ petition that the Chief Minister of the State of Telangana during several

meetings and discussions expressed his support and assurance to the petitioner for holding the aforesaid Summit. The grievance of the petitioner is that despite the assurance extended by the Chief Minister, the respondents have failed to take any substantive action to extend the promise for the event. It has been averred that inaction on the part of the State Government is contrary to the public interest and undermines the economic welfare of people of the State of Telangana.

5. The petitioner thereupon has filed this petition as public interest litigation seeking the following reliefs:

“For the reasons stated in the accompanying affidavit filed in support of the Writ Petition, the Petitioner herein prays that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or direction mostly one which is in the nature of a Writ of Mandamus to

1. Issue an appropriate writ, order, or direction to Mr. Revanth Reddy, the Honourable Chief Minister of Telangana, to honor his commitments on behalf of the State of Telangana by supporting and participating in the Global Peace and Economic Summit, which is essential since it aims at attracting substantial investments crucial for the state's economic growth, fostering regional cooperation, promoting prosperity, and advancing the state's economic development in alignment with the principles of public welfare and equitable growth, as enshrined in Article 38 of the Constitution of India, which mandates the State to strive

to promote the welfare of the people by securing a social order that provides justice, social, economic, and political.

2. Issue further appropriate directions, orders, or writs to ensure that the fundamental rights of the petitioner, as guaranteed under Articles 14, 19 and 21 of the Constitution of India, are safeguarded and upheld, asserting that the right to equality (Article 14), freedom of speech (Article 19(1)(a)), and livelihood, which is integral to the right to life (Article 21), is protected. The Hon'ble Supreme Court, in *Maneka Gandhi v. Union of India* (1978 AIR 597), held that the right to life includes the right to livelihood, and any action by the State that interferes with these rights must pass the test of reasonableness. The Global Peace and Economic Summit which is to be held on October 2nd, 2024 on Mahatma Gandhi's birthday now postponed to Gandhi's death Anniversary on 30th January 2025, which plays a key role in fostering public welfare and economic progress, requires that the State Government acts in collaboration with the petitioner to realize these objectives, ensuring that his fundamental rights are not infringed, as upheld in *Olga Tellis & Ors v. Bombay Municipal Corporation* (AIR 1986 SC 180).

3. Grant such other and further relief as this Honorable Court may deem fit and proper in the interest of justice and equity, considering the critical nature of this petition for the overall economic growth and development of the region. The Court may be pleased to take any additional steps necessary to uphold the objectives of promoting social welfare and regional development, as guided by the principles established in *Vishaka & Ors. v. State of Rajasthan* (1997) 6 SCC 241, which held that the State has a duty to take affirmative action for the protection of fundamental rights, and also in light of "The" directive principles enshrined in

Article 39(b), emphasizing that resources should be utilized for the common good.

In addition, the Hon'ble High Court of Telangana and Andhra Pradesh has consistently held in various decisions that economic development and public welfare are intertwined and that the State has a duty to ensure equitable growth. Reference may be made to State of Andhra Pradesh v. McDowell & Co. (AIR 1996 AP 368), where the Hon'ble Court emphasized the responsibility of the State to secure investments that benefit public welfare and economic progress."

6. The petitioner submitted that the Chief Minister of the State of Telangana had agreed to participate in the said Summit. However, he has refused to honour his commitment. It is further submitted that the same is violative of fundamental rights guaranteed to the petitioner under Articles 14 and 21 of the Constitution of India. It is also contended that even though the Chief Minister of the State of Telangana had agreed to attend the Summit, the bureaucrats are not permitting him to attend the meeting.

7. We have considered the submissions made by the party-in-person and perused the record.

8. The expression "Public Interest Litigation" has been defined in Stroud's Judicial Dictionary, Vol. 4, 4th Edition in the following terms:-

"Public interest - (1) A matter of public or general interest does not mean that which is interesting as gratifying curiosity or a love of information or amusement; but that in which a class of the community have a pecuniary interest, or some interest by which their legal rights or liabilities are affected."

In Black's Law Dictionary, 6th Edition "public interest" is defined as follows:-

"Public interest.- Something in which the public, the community at large, has some pecuniary interest, or some interest by which their legal rights or liabilities are affected. It does not mean anything so narrow as mere curiosity, or as the interests of the particular localities, which may be affected by the matters in question. Interest shared by citizens generally in affairs of Local, State or National Government."

9. In **State of Uttaranchal v. Balwant Singh Chaufal**¹, the Supreme Court held that the Court should *prima facie* satisfy that substantial public interest is involved before entertaining the petition and the same involves larger public interest. The principles laid down in **Balwant Singh Chaufal** (supra) were

¹ (2010) 3 SCC 402

reiterated in **Anirudh Kumar v. Municipal Corporation of Delhi**² and **Esteem Properties Private Limited v. Chetan Kamble**³.

10. In the backdrop of the aforesaid well settled legal principles, we may advert to the facts of the case in hand. The petitioner has no fundamental right to insist that the Chief Minister of a State should participate in the conference which may be held by the petitioner. The non-participation of the Chief Minister in any Summit to be held by the petitioner does not constitute infraction of Articles 14 and 21 of the Constitution of India. No particulars have been pleaded as to how, if the Summit is held, will fetch international investments and development projects to revive the economy of the State of Telangana, which according to the petitioner is deteriorating. In paragraph 5.7 of the affidavit, the petitioner has only stated that the Summit is expected to attract international investors and dignitaries. However, again the petitioner has failed to disclose as to how the aforesaid Summit will attract international investors and dignitaries. The petitioner has no

² (2015) 7 SCC 779

³ (2022) 11 SCC 661

legally enforceable right to insist that the Chief Minister of the State should attend the Summit, which is to be held by the petitioner, who happens to be a President of a political party. Similarly, the Chief Minister of the State has no legal obligation to attend the Summit held by a private body. The instant writ petition is filed to enforce the oral assurance given to the petitioner in the meeting by the Chief Minister of the State of Telangana.

11. For the aforesaid reasons, we do not find any merit in the writ petition and the same fails.

12. In the result, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

**SD/-T.TIRUMALA DEVI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI Dr. K.A.PAUL @ KILARI ANAND PAUL [PARTY-IN-PERSON]
2. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court for the State of Telangana at Hyderabad [OUT]
3. The Chief Secretary, Government of Telangana, State of Telangana, Secretariat, Hyderabad.
4. Two CD Copies

BSR
BSK

[Handwritten signature]



HIGH COURT

DATED: 14/10/2024

ORDER

WP(PIL)(SR).No.38812 of 2024



**DISMISSING THE WRIT PETITION (PIL) (SR),
WITHOUT COSTS**

⑦
22/10/24
OK