

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

I.A.No.1 of 2016 (W.A.M.P.No.858 of 2016),

I.A.No.2 of 2016 (W.A.M.P.No.859 of 2016),

IN/AND

WRIT APPEAL (SR) NO: 62028 OF 2015

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 26.09.2014 in PIL No. 62/2014 on the file of the High Court.

Between:

1. Mani Enclave Residents Welfare Association
Yapral, Secunderabad, rep by its Secretary
Sri Madan P.N. S/o Late Sri E.P Nair

2. Madan P.N. So Late Sri E.P Nair,
Aged about 53 years, Occ: Business,
R/o H. No. 106, Mani Enclave, Yapral
Secunderabad

.....Appellants/Petitioners No. 1&5 in P.I.L.No. 62 of 2014

And

1. Union of India
Rep by its Secretary
Ministry of Defence, New Delhi

2. Chief of the Army Staff
New Delhi

3. General Officer Commanding (GOC),
Andhra Sub Area, Andhra & Telangana

4. Station Commander, Andhra Sub Area
Bollarum, Hyderabad

5. Secunderabad Cantonment Board
Rep by its Chief Executive Officer
Secunderabad

6. Defence Estate Officer, Hyderabad circle
Secunderabad

7. State of Telangana, rep. by its Chief Secretary, Hyderabad.
8. District Collector, Hyderabad District.
9. District Collector, Ranga Reddy District, Hyderabad.
10. Commissioner of Police, Cyberabad.
11. Commissioner of Police, Hyderabad.
12. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund, Hyderabad.
13. Mani Residency Owners Welfare Association, Yapral, Secunderabad, rep. by its Secretary, Sri Rajesh K. Tirumalasetti.
14. Royal Gardens Welfare Association, Yapral, Secunderabad, rep. by its Secretary, Mrs Rajyalaxmi.
15. Sylvan Green Home Owners Association, Yapral, Secunderabad, rep. by its Secretary, Sri Kamesh,

(R13 to R15 are not necessary parties to this writ appeal)

...RESPONDENT

I.A. NO: 1 OF 2016(WAMP. NO: 858 OF 2016)

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 condone the delay (295) days in representing the WA SR No. 62028 of 2014 in the interest of justice.

I.A. NO: 2 OF 2016(WAMP. NO: 859 OF 2016)

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 condone the delay for the above stated reasons in filling the writ appeal as otherwise the petitioner will suffer irreparable loss and injury, hence delay of 389 days be condoned.

Counsel for the Appellant: SRI D.MADHAVA RAO (NOT PRESENT)

**Counsel for the Respondent No.1 & 2: M/s. L.PRANATHI REDDY, REP. FOR
SRI GADI PRAVEEN KUMAR,**

DEPUTY SOLICITOR GENERAL OF INDIA

**Counsel for the Respondent No.5: SRI SRIKANTH KAVALI, REP. FOR
SRI K.R.KOTESWARA RAO**

Counsel for the Respondent No.7: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondent No.8 & 9: GP FOR REVENUE

Counsel for the Respondent No.10 & 11: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

I.A.No.1 of 2016 (W.A.M.P.No.858 of 2016),

I.A.No.2 of 2016 (W.A.M.P.No.859 of 2016)

IN/AND

WRIT APPEAL (SR) No.62028 of 2015

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

None for the appellants.

Ms. L.Pranathi Reddy, learned counsel representing Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India for respondent Nos.1 and 2.

Mr. Srikanth Kavali, learned counsel representing Mr. K.R.Koteswara Rao, learned counsel for respondent No.5.

2. Learned counsel for respondent No.5 submits that the grievance of the appellants does not survive for consideration as the road in question has been restored for public use.

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3. The aforesaid submission is placed on record.

4. Accordingly, the interlocutory applications and the Writ Appeal are dismissed as infructuous.

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

SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR

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SECTION OFFICER

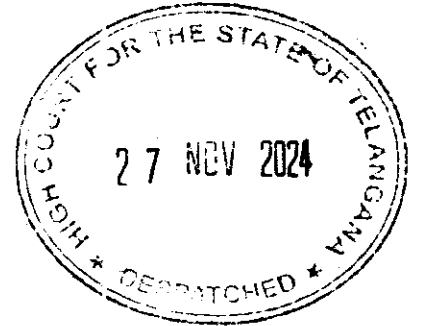
To,

1. One CC to SRI D.MADHAVA RAO, Advocate [OPUC]
2. One CC to SRI K.R.KOTESWARA RAO, Advocate [OPUC]
3. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
4. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court for the State of Telangana at Hyderabad [OUT]

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HIGH COURT

DATED: 14/10/2024



COMMON JUDGMENT

**I.A.No.1 of 2016 (W.A.M.P.No.858 of 2016),
I.A.No.2 of 2016 (W.A.M.P.No.859 of 2016),
IN/AND
WRIT APPEAL (SR) NO: 62028 OF 2015**

**DISMISSING THE I.A's & WA(SR) AS INFRUCTUOUS,
WITHOUT COSTS**

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