

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 NO: 14850 OF 2016

Between:

Dr. Venugopal Rao Appani, S/o Late Appani Mallikarjun Rao Aged About 52
Years, Occ Doctor R/o Plot No. 20, Sylvan Gardens Yapral, Secunderabad -
500087

...PETITIONER

AND

1. Union of India, Rep by its Cabinet Secretary New Delhi
2. Secretary, Ministry of Defence Government of India, New Delhi
3. Director General, Defence Estates Government of India, New Delhi
4. Principal Director, Defence Estates, Southern Command, Pune
5. Chief Executive Officer, Secunderabad Cantonment Board, Secunderabad
6. President, Secunderabad Cantonment Board Secunderabad
7. Secunderabad Cantonment Board, Rep by CEO, Secunderabad
8. General Officer Commanding Andhra / Telangana Area, Hyderabad
9. State of Telangana, Rep by its Chief Secretary, Govt. of Telangana,
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 a writ, order or direction, one more in the nature of a Writ of
Mandamus directing the 5th Respondent and the 6th Respondent to not permit
any authority other than the 7th Respondent Cantonment Board to close any

road within Secunderabad Cantonment Board limits while following the provisions of Section 258 of Cantonments Act 2006

I.A. NO: 1 OF 2016(WPMP. NO: 18458 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 direct the 5th Respondent to convene a special board meeting to enable the 7th Respondent Board, by following the provisions U/Sec 258(1), to reopen the following streets for public use - (a) Puri Singh Marg from Valerian Grammar School/Kendriya Vidyalaya Bolarum to Cariappa Road, via Navy House (b) Gen Krishna Rao Marg from Hakimpet/Bolarum Checkpost to Bison Dwar at the junction of Cariappa Road and Lothkunta-Ammuguda Road, via Cantonment Telephone Exchange, BEPTA Golf Course, RSI Club Front Gate, EME Centre House (c) Surender Marg from Eagle Chowk to Sundial Park, via Army School, Batticaloa Canteen, RSI Club Rear Gate (d) Cariappa Road from Bison Dwar to Rajiv Rahadari near St Ann's School Bolarum, via Rashtrapathi Nilayam Gate No 3, Synergy Plaza/Bison Chowk (e) The road from Cantonment Telephone Exchange to Synergy Plaza/Bison Chowk via Holy Trinity Church (f) The road from BEPTA Golf Course to Lakdawala Junction on Rajiv Rahadari (g) The road from BEPTA Golf Course to Balaji Nagar (h) The road from Navy House Circle at the junction of Puri Singh Marg and Gen Krishna Rao Marg to Andhra Sub Area Circle near Rashtrapathi Nilayam Gate No 1, via Gen Krishna Rao Marg, RSI Club Front Gate, Rashtrapathi Nilayam Gate No. 3 (1) The road from Batticaloa Canteen to Ammuguda junction (j) Mornington Road from RTA Office Trimulgherry to AOC Records Office

I.A. NO: 2 OF 2016(WPMP. NO: 18459 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 direct the 5th Respondent to convene a Special Board Meeting to place the orders No.4(2)/2015-D(Q&C) of the Ministry of Defence Dated 7.1.2015 before

the Board as directed by letters of the 4th respondent dt.13.1.2015, 8.1.2016 and 20.1.2016

Counsel for the Petitioner: SRI. TURJYA N.GANGULY

**Counsel for the Respondent Nos. 1,2&3: Ms. L. PRANATHI REDDY REP
SRI GADI PRAVEEN KUMAR, DY. SOLICITOR
GENERAL OF INDIA**

**Counsel for the Respondent Nos. 5to8: SRI SRIKANTH KAVALI REP
SRI K.R. KOTESWARA RAO**

Counsel for the Respondent No.9: GP FOR GENERAL ADMINISTRATION

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 No.14850 of 2016

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

None for the petitioner.

Ms. L.Pranathi Reddy, learned counsel representing Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India for respondent Nos.1, 2 and 3.

Mr. Srikanth Kavali, learned counsel representing Mr. K.R.Koteswara Rao, learned counsel for respondent Nos.5 to 8.

2. Learned counsel for respondent Nos.5, 6 and 7 submits that the grievance of the petitioner does not survive for consideration as the road in question has been restored for public use.

3. The aforesaid submission is placed on record.

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4. Accordingly, the Writ Petition is dismissed as infructuous.

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

SD/-P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. TURJYA N.GANGULY, Advocate [OPUC]
2. One CC to SRI. K.R KOTESWERA RAO, Advocate [OPUC]
3. One CC to SRI. GADI PRAVEEN KUMAR, DY. SOLICITOR GENERAL OF INDIA [OPUC]
4. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court for the State of Telangana, at Hyderabad [OUT]
5. (TG) Advocate [OPUC]
6. Two CD Copies

BM
BS K.P.

HIGH COURT

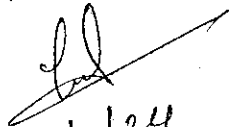
DATED:14/10/2024

ORDER

WP.No.14850 of 2016

**DISMISSING THE WRIT PETITION AS INFRUCTUOUS
WITHOUT COSTS**

9 Copies


19/11/24.