

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

**FRIDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

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

WRIT APPEAL NO: 1395 OF 2024

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 30/10/2024 in W P No 30436 of 2024 on the file of the High Court.

Between:

Pokala Ramu, S/o: Shankar Narayana, aged 42 years, Occ. Business, R/o. H. No. 12-1-108, Pinnavari Street, Warangal 506002.

...APPELLANT/PROPOSED APPELLANT

AND

1. Kambampati Sudharshan, (deceased, through his LRS)

...RESPONDENT NO.1/WRIT PETITIONER

2. Kambampati Shankar, S/o. Late Kambampati Sudharshan, aged 64 years, Occ. Retd. Govt. Employee, R/o. H. No. 5-2-178/53, Ambedkar Nagar, Jangoan Town and District - 606167.

3. Smt Kambampati Vishala, D/o. Late Kambampati Sudharshan, aged about 55 years, Occ. Housewife, R/o. H. No. 5-2-178/53, Ambedkar Nagar, Jangoan Town and District - 606167.

4. Smt. Kanidimalla Jyothi, W/o. Kandimalla Mallaiah, D/o. Late K. Sudharshan, aged about 55 years, Occ. Pvt. Employee, R/o. H. No. 5-2-178/53, Ambedkar Nagar, Jangoan Town and District - 606167.

5. The State of Telangana, rep by its Principal Secretary, Municipal Administration Development Secretariat Building, Tank bund, Hyderabad.

...RESPONDENTS/LRs of Respondent No.1

6. The Municipal Commissioner, Greater Warangal Municipal Corporation, Warangal District, T.G.

7. The Asst. City Planner, Kasibugga Circle-I, GWMC, Warangal District, T.G.

8. The Station House Officer, P.S. Matwada, Warangal District, T.G.

...RESPONDENTS

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 order passed by the Learned Single Judge in W.P. No. 30436/2024 dated 30.10.2024 pending disposal of the appeal, and direct the Respondent Nos. 6 to 8 not to take any action of demolition on the house bearing No. 12-1-108, situated at Pinnavari Street, Warangal, in the interest of justice.

Counsel for the Appellants: SRI R. DHEERAJ SINGH

Counsel for the Respondent Nos.2 to 4: PRAVEEN BONKURI

**Counsel for the Respondent No.5: GP FOR MUNICIPAL ADMINISTRATION
URBAN DEVELOPMENT**

Counsel for the Respondent No.6 and 7: SRI PASHAM MOHITH

**Counsel for the Respondent No.8: SRI MAHESH RAJE,
GP FOR HOME DEPARTMENT**

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Appeal No.1395 of 2024

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

Mr. R.Dheeraj Singh, learned counsel for the appellant.

Mr. Pasham Mohith, learned counsel for respondents
No.6 and 7.

Mr. Mahesh Raje, learned Government Pleader for
Home Department appears for respondent No.8.

2. This intra court appeal has been filed against order
dated 30.10.2024, passed by the learned Single Judge in Writ
Petition No.30436 of 2024.

3. Admittedly, the appellant is not a party to the impugned
order dated 30.10.2024 passed by the learned Single Judge. The
aforesaid order, therefore, does not bind the appellant. In view
of the law laid down by the Supreme Court in **Shivdeo Singh
v. State of Punjab**¹ as well as the Division Bench of this Court

¹ AIR 1963 SC 1909

in **Palavalasa Padmanabham v. State of A.P.**², the appropriate remedy for the appellant is either to seek review of the impugned order dated 30.10.2024 or to challenge that order in a separate writ petition.

4. Accordingly, the appeal is disposed of with liberty to the appellant to take recourse to the remedy available to him in law.

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

² 2003 (4) ALD 449 (DB)

//TRUE COPY//

SD/-I. NAGA LAKSHMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to Sri R. Dheeraj Singh, Advocate [OPUC]
2. One CC to Sri Praveen Bonkuri, Advocate [OPUC]
3. Two CCs to The GP for Municipal Administration Urban Development, High Court for the State of Telangana, at Hyderabad[OPUC]
4. Two CCs to The GP for Home, High Court for the State of Telangana, at Hyderabad[OPUC]
5. One CC to Sri Pasham Mohith, Advocate[OPUC]
6. Two CD Copies

TJ
BS

kg

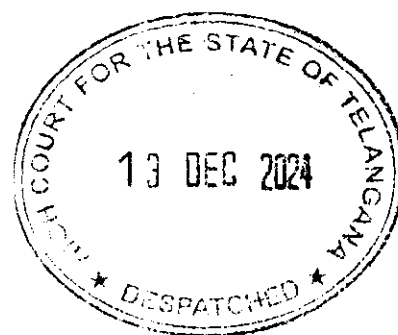
HIGH COURT

CC TODAY

DATED:13/12/2024

JUDGMENT

WA.No.1395 of 2024



DISPOSING OF THE WRIT APPEAL

WITHOUT COSTS

10 copies
19
13/12/24