

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

**TUESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND**

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

WRIT APPEAL NO: 932 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 18/04/2024 in WP.No.9682 of 2024. on the file of the High Court.

Between:

Pallapothula Ramakrishna Rao, S/o. Late Pallapothula Dargaiah, Aged 62 years, Occ ; Agriculture, R/o. H.No.5-92. Kothagudem Road, Penuballi Village and Mandal, Khammam District-507302.

.....APPELLANT

AND

1. Komaram Anil Kumar, S/o. Narsinga Rao, Aged 34 years, Occ. Agriculture, R/o. H.No. 9-840. Thatigudem Village, Karakagudem Mandal, Bhadradi-Kothagudem District-507117.
2. V.B.V.D. Prasad, S/o. Chenna Rao, Aged 43 years, Occ. Agriculture, R/o. V.M. Banjara Village, Penuballi Mandal, Khammam District-507302.
3. The State of Telangana, Rep by its Principal Secretary, Tribal Welfare Department, Secretariat, Hyderabad, Telangana-500022.
4. The Agent to Government and District Collector, Khammam District-507001.
5. The Agency Divisional Munsif and Revenue Divisional Officer, Kalluru Division, Khammam District-507209.
6. The Agency Mandal Munsif and-Tahsildar, Penuballi Mandal, Khammam District-507302.

.....RESPONDENTS/RESPONDENTS 1 to 4 in W.P.No.9682 of 2024

I.A.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 dated. 18/04/2024 in W.P.No. 9682 of 2024 on the file of this Hon'ble Court, pending disposal of the writ appeal.

Counsel for Appellant : SRI S.MADAN MOHAN RAO

Counsel for Respondent Nos.1 & 2 : SRI P.V.L.BHANU PRAKASH

Counsel for Respondent Nos.3to6:SRI G.VEERASWAMY, G.P FOR SOCIAL WELFARE

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.932 of 2024

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

Mr. S. Madan Mohan Rao, learned counsel appears for the appellant.

Mr. G. Veeraswamy, learned Government Pleader for Social Welfare appears for respondent Nos.3 to 6.

2. In this intra court appeal, the appellant has assailed the validity of the order dated 18.04.2024 passed by the learned Single Judge by which Writ Petition No.9682 of 2024 filed by respondent Nos.1 and 2 has been disposed of.

3. Admittedly, the appellant is not a party to the aforesaid Writ Petition. Therefore, the order dated 18.04.2024 passed in the aforesaid Writ Petition does not bind the appellant.

4. In view of law laid down by the Supreme Court in **Shivdeo Singh v. State of Punjab**¹ as well as Division Bench of

¹ AIR 1963 SC 1909

this Court in **Palavalasa Padmanabham v. State of Andhra Pradesh²**, learned counsel for the appellant after arguing the matter to some extent submits that the appellant be granted liberty to avail the remedy before the appropriate forum.

4. In view of aforesaid submission, the Writ Appeal is disposed of in terms of the liberty as prayed for.

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

2 2003(4) ALD 449 (DB)

//TRUE COPY//

SD/- K. SAILESHI
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Tribal Welfare Department, Secretariat, State of Telangana at Hyderabad, Telangana-500022.
2. The Agent to Government and District Collector, Khammam District-507001.
3. The Agency Divisional Munsif and Revenue Divisional Officer, Kalluru Division, Khammam District-507209.
4. The Agency Mandal Munsif and-Tahsildar, Penuballi Mandal, Khammam District-507302.
5. Two CC's to G.P For Social Welfare, High Court for the State of Telangana at Hyderabad. (OUT)
6. One CC to SRI S.MADAN MOHAN RAO, Advocate [OPUC]
7. One CC to SRI P.V.L.BHANU PRAKASH, Advocate [OPUC]
8. Two CD Copies

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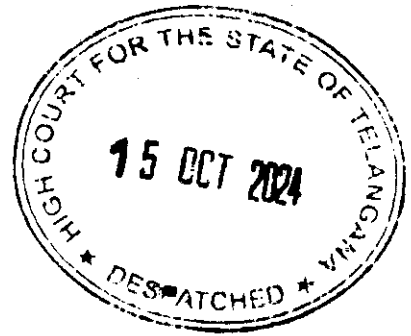
V. X

HIGH COURT

DATED:06/08/2024

JUDGMENT

WA.No.932 of 2024



**DISPOSING OF THE W.A.
WITHOUT COSTS.**

⑪ VLW
26/9/24