

**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: 11707 OF 2015

Between:

Mr. Pankaj Sethi, S/o Yashpal Sethi, aged about 53 years, Occ Service, R/o
10, Sylvan Greens, Yapral, Secunderabad 500087

...PETITIONER

AND

1. Union of India, Rep by its Cabinet Secretary, New Delhi
2. Secretary Ministry of Defence, Govt. of India, New Delhi
3. Chief of the Army Staff, Army Headquarters New Delhi
4. General Officer commanding (GOC), Andhra / Telangana Area, Hyderabad
5. Station Commander, Andhra / Telangana Area, Hyderabad
6. Director General, Defence Estate, Govt. of India, New Delhi
7. Defence Estate Officer, Secunderabad Cantonment Board Compound,
Secunderabad
8. Secunderabad Cantonment Board, Rep by its Chief Executive Officer,
Secunderabad
9. State of Telangana Rep, by its Chief Secretary Govt. of Telangana,
Hyderabad
10. District Collector, Hyderabad, -
11. District Collector, Ranga Reddy District, -
12. Commissioner of Police Hyderabad, -
13. Commissioner of Police Cyberabad, -
14. Greater Hyderabad Municipal Corporation rep by its, Special Commissioner,
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 more particularly one in the nature of writ of mandamus to implement directions No. 4(2)/2015-D (Q & C) Govt. of India Ministry of Defence dated 07.01.2015 by respondents no 3 to 8 to implement and open all public roads in cantonment area including removal of night restriction on public roads from the following-

- 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 LothkuntaAmmuguda Road, via Cantonment Telephone Exchange, BEPTA Golf Course, RSI Club Front Gate, EME Centre House
- c) Surrender 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 Anns 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
- i) The road from Andhra Sub Area Circle near Rashtrapathi Nilayam Gate No 1 to Sainikpuri, via Ammuguda, College of Defence Management and Bharatiya Vidya Bhavan.
- j) The road from Bison Dwar to Kendriya Vidyalaya Trimulgherry via Cavalry Barracks, Guruvayurappan Temple, EME Gurudwara, MCEME Auditorium, Water Tank near Roberts Road
- k) Gough Road from Trimulgherry-Ramakistapuram Road junction near Kendriya Vidyalaya Trimulgherry to AOC Circle via NSG Hub, Jabalpur Gate.
- l) Mornington Road from RTA Office Trimulgherry to AOC Records Office

m) Entrenchment Road from AOC Circle to Allahabad Gate via Thapar Stadium

n) Wellington Road from Secunderabad Club to AOC Circle via Picket, Kirkee Gate

o) Ordinance Road from AOC Circle to Safilguda Railway Station

and removal of brick walls/iron grill gates erected on public roads.

I.A. NO: 1 OF 2015(WPMP. NO: 15470 OF 2015)

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 respondents 4 to 6 to open/remove restrictions on all public roads in cantonment area i. e the following:

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 LothkuntaAmmuguda 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 Anns 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

i) The road from Andhra Sub Area Circle near Rashtrapathi Nilayam Gate No 1 to Sainikpuri, via Ammuguda, College of Defence Management and Bharatiya Vidya Bhavan.

j) The road from Bison Dwar to Kendriya Vidyalaya Trimulgherry via Cavalry Barracks, Guruvayurappan Temple, EME Gurudwara, MCEME Auditorium, Water Tank near Roberts Road

k) Gough Road from Trimulgherry-Ramakistapuram Road junction near Kendriya Vidyalaya Trimulgherry to AOC Circle via NSG Hub, Jabalpur Gate.

l) Mornington Road from RTA Office Trimulgherry to AOC Records Office

m) Entrenchment Road from AOC Circle to Allahabad Gate via Thapar Stadium

n) Wellington Road from Secunderabad Club to AOC Circle via Picket, Kirkee Gate

o) Ordinance Road from AOC Circle to Safilguda Railway Station

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

**Counsel for the Respondent No.1, 2, 3 & 6: M/s. L.PRANATHI REDDY, REP.
FOR SRI GADI PRAVEEN KUMAR,
DEPUTY SOLICITOR GENERAL OF INDIA**

**Counsel for the Respondent No.7 & 8: SRI SRIKANTH KAVALI, REP. FOR
SRI K.R.KOTESWARA RAO**

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

Counsel for the Respondent No.12 & 13: GP FOR HOME

Counsel for the Respondent No.14: SRI K.RAVINDER REDDY, SC FOR GHMC

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.11707 of 2015

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, 3 and 6.

Mr. Srikanth Kavali, learned counsel representing Mr. K.R.Koteswara Rao, learned counsel for respondent Nos.7 and 8.

2. Learned counsel for respondent Nos.7 and 8 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/- K. SREE RAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

10/12
SECTION OFFICER

To,

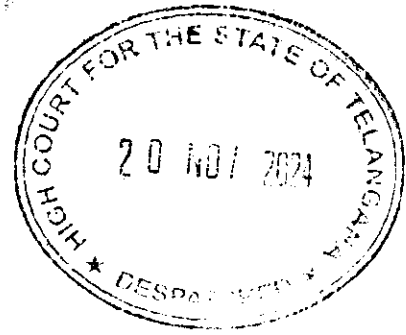
1. One CC to SRI D.MADHAVA RAO, Advocate [OPUC]
2. One CC to SRI K.R.KOTESWARA RAO, Advocate [OPUC]
3. One CC to SRI K.RAVINDER REDDY, SC FOR GHMC [OPUC]
4. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
5. Two CCs to GP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

BSR
LS



HIGH COURT

DATED: 14/10/2024



ORDER

WP.No.11707 of 2015

**DISMISSING THE WRIT PETITION
AS INFRACTUOUS,
WITHOUT COSTS**

①
29/10/24
OK