

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY ,THE NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT PETITION NO: 26423 OF 2018

Between:

1. Tallapalli Ashirvadam, s/o Pochaiiah, age 46 years, Occu. Agriculture, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
2. Tallapalli Kumaraswamy, s/o Lingaiah, age 40 years, Occcu. Agriculture, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
3. Burra Thirupathi, s/o Veerawamy, age 40 years, Occu. Agriculture, Ward Member 8th Ward of Gram Panchayath Manikyapur Village, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
4. Enugu Gangaiah, s/o Peda Mallaiah, age 55 years, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
5. Gundaboina Mallaiah, s/o Ilaiah, age 56 years, Occu. Agriculture, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
6. Kathri Mohan Reddy, s/o Raji Reddy, age 85 years, Occu. Agriculture, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
7. Bandari Laxmaiah, s/o Mallaiah, age 50 years, Occu. Agriculture, Upa Saranch of Gram Panchayath Manikyapur Village, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
8. Gangula Ramakka, w/o Gangaiah, age 50 years, Occu. House wife, Ward Member of Gram Panchayath Manikyapur Village, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.
9. Pettem Ramnarayana, s/o Mallaiah, age 66 years, Occu. Agriculture, Former Sarpanch and Member Mandal Praja Parishad Manikyapur Village, residing in Backward Class Community Locality of Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District Urban.

...PETITIONERS

AND

1. The State of Telangana, Represented by Principal Secretary to Government, Panchayath Raj Department, Secretariat Buildings, Saifabad, Hyderabad.
2. The Telangana State Election Commission, 1st Floor, DTCP Building, Opp. PTI Building, A C Guards, Hyderabad. 500 004.
3. The Commissioner, Panchayath Raj Department, Secretariat Buildings, Saifabad, Hyderabad.
4. The District Collector, Warangal Urban District.
5. The District Panchayath Officer, Warangal Urban District.
6. The Mandal Development Officer, Bheemdevarapalli Revenue Mandal in Warangal Urban District.
7. The Gram Panchayath Manikyapur Village, of Bheemdevarapalli Revenue Mandal of Warangal District Urban, rep by Panchayath Secretary. Office of Gram Panchayath, Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District
8. The Sarpanch, Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District.

...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 writ of Mandamus to declare Sec. 3 of Telangana Gram Panchayath Act, 2018 as Ultra Vires of Art. 243 (g) Constitution of India in establishing separate Gram Panchayath for the area of Gandhinagar (BC Colony) Hamlet of existing Gram Panchayath Manikyapur as separate Gram Panchayath in Bheemdevarapalli Revenue Mandal of Warangal District Urban while bifurcating and deleting the area of Gandhinagar (B C Colony) from Gram Panchayath Manikyapur Village in Bheemdevarapalli Revenue Mandal of Warangal District Urban as bad, illegal, arbitrary, consequently and setaside the proceedings in file No. in RC No. 83/2018/A1 dt. 10-05-2018

IA NO: 1 OF 2018

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 issue orders/directions to respondent not to conduct elections for newly formed Gram Panchayath comprising the area of Gandhinagar (B C Colony) and Manikyapur Gram Panchayath of Bheemdevarapalli Revenue Mandal in Warangal Urban District pending disposal of the above Writ Petition

Counsel for the Petitioner: SRI. C. RAMESH SAGAR

**Counsel for the Respondent No.1: SRI POTTIGARI SRIDHAR REDDY,
SPL GP FOR ADVOCATE GENERAL**

**Counsel for the Respondent Nos. 1,3,4&5: GP FOR PANCHAYAT
RAJ RURAL DEVELOPMENT**

Counsel for the Respondent No.2: SRI P. SUDHEER RAO

Counsel for the Respondent Nos. 6,7&8: SRI G. NARENDER REDDY, SC

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.26423 of 2018

ORDER: *(Per the Hon'ble Sri Justice J. Sreenivas Rao)*

This writ petition is filed questioning the action of the respondents in issuing proceedings RC.No.83/2018/A1 dated 10.05.2018 issued by respondent No.5 directing respondent No.6 to submit report for formation of separate Gram Panchayat for the area of Gandhinagar (B.C. Colony), Hamlet of existing Gram Panchayat Manikyapur, as separate Gram Panchayat in Bheemdevarapalli Revenue Mandal of Warangal District.

2. From perusal of the record, it reveals that this Court has not granted any interim order.

3. Sri Pottigari Sridhar Reddy, learned Special Government Pleader attached to the office of learned Advocate General, appearing for respondent No.1, submitted that during pendency of the writ petition, separate Gram Panchayath was already constituted for Gandhinagar (B.C. Colony).

4. In view of the aforesaid submission, the cause in the writ petition does not survive for consideration. However, the petitioners are granted liberty to work out their remedies as available under law, if so aggrieved.

5. Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR /

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government, Panchayath Raj Department, Secretariat Buildings, Saifabad, T.S., Hyderabad.
2. The Telangana State Election Commission, 1st Floor, DTCP Building, Opp. PTI Building, A C Guards, Hyderabad. 500 004.
3. The Commissioner, Panchayath Raj Department, Secretariat Buildings, Saifabad, Hyderabad.
4. The District Collector, Warangal Urban District.
5. The District Panchayath Officer, Warangal Urban District.
6. The Mandal Development Officer, Bheemdevarapalli Revenue Mandal in Warangal Urban District.
7. The Gram Panchayath Manikyapur Village, of Bheemdevarapalli Revenue Mandal of Warangal District Urban, rep by Panchayath Secretary. Office of Gram Panchayath, Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District
8. The Sarpanch, Gram Panchayath Manikyapur Village of Bheemdevarapalli Revenue Mandal of Warangal District.
9. One CC to SRI. C. RAMESH SAGAR, Advocate [OPUC]
10. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEVELOPMENT, High Court for the State of Telangana. [OUT]
11. Two CCs to ADVOCATE GENERAL, High Court for the State of Telangana, at Hyderabad [OUT]
12. One CC to SRI. G. NARENDER REDDY, SC [OPUC]
13. One CC to SRI. P. SUDHEER RAO, Advocate [OPUC]
14. Two CD Copies

B M
BS

PA

HIGH COURT

DATED:09/01/2025

ORDER

WP.No.26423 of 2018



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

PA
28/1/25
18 copies.