

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF JANUARY TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE SRI JUSTICE P NAVEEN RAO****WRIT PETITION NO: 318 OF 2021****Between:**

Winsol Solar Fields (Polepally) Private Limited, Rep. by it Authorized rep. K. Ravibabu, having Reg office. Office no.504/2, 5th Floor, Block I, White House, Municipal No.6-31192/1/1, Kundanbagh, Begumpet, Hyderabad - 50016.

...Petitioner**AND**

1. The State of Telangana, Rep by Principal Secretary Revenue, Secretariat, Hyderabad.
2. The Tahsildar, Peddemul Mandal, At Peddamul, Vikarabad District.
3. The Executive Engineer, I and CADD I.B Division, Vikarabad.
4. T. Venkat Reddy, S/o. T. Parvath Reddy aged 38 years, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.
5. Smt. T. Mallamma, W/o. T.P.Sanjeeva Reddy, aged 53 years, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.
6. T. Srinivasa Reddy, S/o. T.P.Sanjeeva Reddy, aged 35 years, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.
7. T. Srikanth Reddy, S/o. T.P.Sanjeeva Reddy, aged 27 years, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.

(Respondent Nos.4 to 7 are impleaded as per court order dated: 6/1/2021 in I.A.No.2 of 2021).

...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 writ, order or direction more particularly in the nature of WRIT OF MANDAMUS declaring the impugned orders in proceeding in File no B/1838/2018 dated: 03/12/2020 issued by the Respondent no 2 to demolish the culvert and compound wall constructed by the Petitioner company in Sy no 220 of Indur Village of Peddemul Mandal forthwith with the help of Police and Irrigation department without hearing the Petitioner or considering the counter dated 14/9/2020 submitted by the Petitioner company or considering the orders passed by this Honourable Court in WP No.41115 of 2018 dated 15/11/2018 and without following the due process of law, as arbitrary, illegal and against the principal of natural justice.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of the impugned order in Proceeding no. B/ 1838 / 2018 dated 03/12/2020 issued by the Respondent no 2, pending disposal of WP 318 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s YOGESH KUMAR HEROOR Advocate for the Petitioner, GP FOR REVENUE for the Respondent Nos.1 and 2 and GP FOR IRRIGATION & CAD for the Respondent No.3, the Court made the following.

ORDER:

The matter is directed to be listed on 25.01.2021.

Petitioner is directed to take out notice and file proof of service on impleaded respondent Nos.4 to 7.

Subject to petitioner furnishing Demand Draft for an amount of Rs.15,00,000/- in favour of the Executive Engineer, I & CADD, I.B. Division, Vikarabad, (respondent No.3), within one week from today, respondent Nos.1 to 3 are directed not to take any coercive steps against the petitioner. The Executive Engineer, respondent No.3, is directed to draw out clear balance duly taking note of the representations submitted by respondent Nos.4 to 7 and duly taking note of free flow of water in the culvert as well as the issue, whether the construction of compound wall around the subject property is obstructing the enjoyment of the property by the neighbours and also estimate the cost for construction of the culvert.

SD/- CH.VENKATESWARLU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The Tahsildar, Peddemul Mandal, At Peddamul, Vikarabad District.
3. The Executive Engineer, I and CADD I.B Division, Vikarabad.
4. T. Venkat Reddy, S/o. T. Parvath Reddy, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.
5. Smt. T. Mallamma, W/o. T.P.Sanjeeva Reddy, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.
6. T. Srinivasa Reddy, S/o. T.P.Sanjeeva Reddy, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana.
7. T. Srikanth Reddy, S/o. T.P.Sanjeeva Reddy, Occ: Agriculture, R/o. H.No.3-100/1, Indoor Village Peddamul Mandal Vikarabad district, Telangana (RR 1 to 7 by RPAD).
8. One CC to M/s. YOGESH KUMAR HEROOR, Advocate [OPUC].
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
10. Two CCs to GP FOR IRRIGATION & CAD, High Court for the State of Telangana at Hyderabad [OUT].
11. One spare copy
ZEE

HIGH COURT

PNRJ

DATED:06/01/2021

LIST ON 25.01.2021

ORDER

WP.No.318 of 2021

DIRECTION

