

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.55 OF 2010

BONDADA PURUSHOTTAM YADAV

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for permission to appear and argue in-person, stay of Justice (Retired) B.N. Srikrishna Committee's proceedings on terms of reference in the State of Andhra Pradesh and office report)

With W.P. (C) No.58 of 2010

(With appln(s) for ex-parte stay, permission to file additional documents, amendment of the petition and office report)

Date: 20/08/2010

These Matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s)

In WP 55/2010:

In-person

In WP 58/2010:

Mr. Harish N. Salve, Sr. Adv.  
Mr. P. Veera Reddy, Adv.  
Mr. A. Raghunath, Adv.

For Respondent(s)

UPON hearing petitioner in-person and counsel the Court made the following

O R D E R

Writ Petition (C) No.58 of 2010:

By this writ petition, petitioners pray that this Court should direct the Government of India not to divide the existing State of Andhra Pradesh formed under States Reorganisation Act, 1956.

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Shri Harish N. Salve, learned senior counsel appearing on behalf of the petitioners, submits that time has come for this Court to examine Article 3 of the Constitution in the context of the power of the Parliament to create or bifurcate the States on linguistic lines as these States have existed for 60 years down the line.

In our view, there is no such law enacted till date. We cannot act on the basis of proposed law. As the matter stands today, petition is premature. As and when the Parliament enacts such a law, any petition, if filed, will be considered in accordance with law.

On this, learned counsel seeks permission to withdraw the writ petition with liberty to file the writ petition afresh.

Accordingly, the writ petition is dismissed

with liberty to file appropriate proceedings in  
accordance with law, if so advised, and if the  
situation so demands. It is at that stage that  
this Court will decide whether the questions raised  
are political or not.  
The writ petition is, accordingly,  
dismissed as premature.

Writ Petition (C) No.55 of 2010:

Permission is granted to appear and argue  
in-person.  
The writ petition is dismissed as  
premature.

[ Alka Dudeja ]  
A.R.-cum-P.S.

[ Madhu Saxena ]  
Assistant Registrar