

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 11104 OF 2023

Between:

1. Jagarla Ganga Narsaiah, S/o. Ramanjam,
2. Gaddam Gangadhar, S/o. Gangaram,
3. Eerla Dayanand, S/o. Ashanna,
4. Bondla Rajesh, S/o. Purushottam,
5. Gaddam Bhaskar, S/o. Gangaram,

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary to Govt, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Integrated District Office Complex, Nizamabad, Nizamabad District.
3. The Revenue Division Officer, Armur, Nizamabad District - 503224.
4. The Tahsildar, Velpur Mandal, Nizamabad District.
5. The Station House Officer, P.S. Morthad, Nizamabad District.
6. The Commissioner of Police, O/o. Police Commissionerate, Nizamabad.
7. The State of Telangana, Rep. by its Principal Secretary to Government, Home Department, Secretariat, Hyderabad.
8. The Village Development Committee, Ramannapet Village, Velpur Mandal, Nizamabad District, Represented by its Chairman, Peerla Suresh Kumar.
9. Peerla Suresh Kumar, S/o. Devanna, R/o.H.No.2-10, Ramannapet, Velpur, Nizamabad - 503225
10. Karrolla Narsaiah, S/o. Nadipi Narsaiah, R/o.H.No.2-4, Ramannapet, Velpur, Nizamabad - 503225
11. Jaagirapu Krishna, S/o. Yellaiah, R/o. H.No. 2-29, Ramannapet, Velpur, Nizamabad - 503225
12. Jaagirapu Shoban, S/o. Chinna Gangaram, R/o.H.No.1-94, Ramannapet, Velpur, Nizamabad - 503225
13. Nagula Shekhar, S/o. Dharmanandan, R/o.H.No.3-12, Ramannapet, Velpur, Nizamabad - 503225
14. Porumalla Rajender, S/o. Narsa Goud, R/o.H.No.6-3, Ramannapet, Velpur, Nizamabad - 503225
15. Eluka Suresh Goud, S/o. Murali Goud, R/o.H.No.6-9, Ramannapet, Velpur, Nizamabad - 503225
16. Sangem Balakishan, S/o Rajanna, Age. 45 years, R/o.H.No.6-9/1, Ramannapet, Velpur, Nizamabad - 503225

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 an appropriate Writ, Order, or Direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction of respondents No. 2 to 6 with regard to non-implementing provisions of the Prevention of Social Disabilities Act (21 of 1957) against the

8th respondent - Village Development Committee (for brevity VDC) and 9th to 16th private respondents who imposed Social Boycott on Petitioners and on entire Mudiraj Community of about 300 families of Ramannapet Village, Velpur Mandal, Nizamabad District since they didn't allow the 8th respondent - VDC to store illegally mined sand and consuming liquor bought it from Belt Shop nearby temple in temple premises as illegal, discriminatory, against the Prevention of Social Disabilities Act (No.21 of 1957), against the Protection of Civil Rights Act, 1955 and gross violations of rights guaranteed under Article 14, 17 and 21 of Constitution of India and consequently a. direct the 2-6 Respondents issue appropriate direction for enforcement of fundamental rights guaranteed under Article 14, 17 and 21 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper. b. direct the respondents No.2 to 6 herein for taking steps on war footing to lift the social boycott of the petitioners and petitioner's community immediately c. direct the respondents No. 2 to 6 to take action against 8th respondent - VDC for illegal sand transportation and running liquor Belt Shop d. direct the respondent No. 5 and 6 to provide Police protection for the temple premises to stop the further demolition of the temple compound wall;

IA NO: 1 OF 2023

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 No.2 to 6 herein for taking steps on war footing to lift the social boycott of the petitioners and petitioner's community immediately and take action against 8th respondent - VDC for illegal sand transportation and running liquor Belt Shop and direct them to provide Police protection for the temple premises to stop the further demolition of the temple compound wall, pending disposal of WP.No.11104 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

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 no. 2 to 6 not to interfere peaceful possession and enjoyment of temple premises with the pressure of the Village Development Committee on Peddamma Temple since this temple built and maintained by Mudiraj caste people like any other temple built by other castes in Ramannapet village to the extent of the land admeasuring Ac.5-30 gts in Sy.No.350 situated at Ramannapet village, Velpur Mandal, Nizamabad District, pending disposal of WP.No.11104 of 2023, 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 the order of the High Court order dated 21.04.2023, 24.04.2023, 04.05.2023, 28.06.2023 and 03.07.2023 made herein and upon hearing the arguments of SRI RAMESH CHILLA, Advocate for the Petitioners, ASSISTANT GP FOR REVENUE for the Respondent Nos.1 to 4, ASSISTANT GP FOR HOME for the Respondent Nos.5 to 7, SRI M.YADAGIRI, Advocate for the Respondent Nos.8 & 9, the Court made the following.

ORDER:

Petitioner No.4 has appeared before this Court.

It is stated by the learned counsel for the petitioners that petitioner No.4 represents other petitioners.

It is stated by petitioner No.4-Bondla Rajesh S/o Purushottam that no obstruction is caused to the un-official respondents entering into five local small temples constructed within the compound wall admittedly raised by the petitioners.

Respondent No.4 - the Tahsildar and respondent No.9 – the Chairman, Village Development Committee are also present in the Court and they have stated that if the petitioners do not lock the gate and keep the gate open all the time and remove sign board erected in the premises, then there will not be any law and order issues in the village.

According to the respondent Nos. 4, 8 and 9, petitioners are not permitting villagers to enter into the temples which are existing within the compound wall unauthorizedly constructed by the petitioners.

However, without going into merits of the case, this Court enquired with petitioner No.4 whether he would undertake on behalf of the petitioners and members of Mudiraj Community to ensure that the gate erected in the disputed property is kept open all the time and the sign board erected therein is removed.

Petitioner No.4 submitted that the premises will not be locked and the gate will be kept open all the time.

Respondent No.4 - the Tahsildar informed this Court that the board is erected recently in the month of April, 2023.

In the circumstances, petitioners are directed to keep the gate open from morning 6:00 a.m to evening 7:00 p.m and forthwith remove the sign board erected in the premises.

At the same time, respondent No.4 is directed to ensure that miscreants do not enter into premises and do not utilize the premises for conducting immoral activities and for consuming liquor and for dumping the soil and also further ensure that petitioners and members of Mudiraj Community are not subjected to social boycott.

List on 19.07.2023.

//TRUE COPY//

SD/- K. AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary to Govt, Revenue Department, State of Telangana, Secretariat, Hyderabad.

2. The District Collector, Integrated District Office Complex, Nizamabad, Nizamabad District.
3. The Revenue Division Officer, Armur, Nizamabad District - 503224.
4. The Tahsildar, Velpur Mandal, Nizamabad District.
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8. The Village Development Committee, Ramannapet Village, Velpur Mandal, Nizamabad District, Represented by its Chairman, Peerla Suresh Kumar.
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16. Sangem Balakishan, S/o Rajanna, Age. 45 years, R/o.H.No.6-9/1, Ramannapet, Velpur, Nizamabad - 503225.
(for addresses 1 to 16 by RPAD)
17. One CC to SRI. RAMESH CHILLA, Advocate [OPUC]
18. One CC to SRI. M. YADAGIRI, Advocate [OPUC]
19. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
20. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
21. One spare copy

HIGH COURT

BVR.J

DATED:05/07/2023

Note: List on 19.07.2023

ORDER

WP.No.11104 of 2023

DIRECTION

