

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE FOURTH DAY OF AUGUST TWO THOUSAND AND
TWENTY ONE

:PRESENT:

HONOURABLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WP (PUBLIC INTEREST LITIGATION) NO: 79 OF 2021

Between:

Prabhakar Chouti, S/o. Yellaiah

Petitioner

AND

1. State Of Telangana, Represented by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. State Of Telangana, Represented by its Principal Secretary, Finance Department, Secretariat Buildings, Hyderabad.
3. The Director of Treasuries and Accounts, Secretariat Buildings, Hyderabad.
4. The Chief Commissioner of Land Administration, Nampally Station Road, Abids, Hyderabad, Telangana - 500001.
5. Mr. Somesh Kumar, Chief Secretary to the State of Telangana, Secretariat Building, 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 an appropriate writ order or direction more particularly in the nature of a writ of mandamus declaring the action of Respondents in passing the G.O Rt No. 208 dated 07/06/2021 as illegal, arbitrary, unconstitutional and against the principles of natural justice and consequently to set aside the GO Rt 208 dated 07/06/2021 and direct the Respondents to not act upon the G.O. Further, to restore the amount if any paid to the Respondent No. 4 for the Contempt Cases;

IA NO: 1 OF 2021

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 suspend the operations of the GO Rt 208 dated 07/06/2021, pending disposal of WP(PIL) 79 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 Sri MAYUR MUNDRA, Advocate for the Petitioner, Sri B.S. Prasad, Advocate General, for the Respondents, the Court made the following.

ORDER:

1. Mr. B.S. Prasad, learned Advocate General accepts notice on behalf of the respondents and states that a counter affidavit may be permitted to be filed.
2. Counter affidavit be filed within four weeks with a copy to the other side, who may file a rejoinder, if any, within two weeks thereafter.
3. Till further orders, no funds shall be released in terms of G.O.Rt.No.208 dated 07.06.2021.
4. List on 27.10.2021.

//TRUE COPY//

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

WWW.LIVELAW.IN

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Principal Secretary, Finance Department, State of Telangana, Secretariat Buildings, Hyderabad.
3. The Director of Treasuries and Accounts, Secretariat Buildings, Hyderabad.
4. The Chief Commissioner of Land Administration, Nampally Station Road, Abids, Hyderabad, Telangana - 500001.
5. Mr. Somesh Kumar, Chief Secretary to the State of Telangana, Secretariat Building, Hyderabad. (1 to 5 by RPAD)
6. One CC to SRI MAYUR MUNDRA Advocate [OPUC]
7. Two CCs to Advocate General, High Court at Hyderabad. [OUT]
8. Two spare copies

mvj

WWW.LIVELAW.IN

HIGH COURT

H C J & BVRJ

DATED:04/08/2021

LIST ON 27-10-2021

ORDER

WP(PIL).No.79 of 2021

DIRECTION



WWW.LIVELAW.IN
GOVERNMENT OF TELANGANA
ABSTRACT

Budget Estimates 2021-22 - Budget Release Order for Rs.58,95,63,000/- (Rupees Fifty Eight Crore Ninety Five Lakhs Sixty Three Thousand only) towards Pending contempt cases posted in Hon'ble High Court - Administrative Sanction - Accorded - Orders - Issued.

REVENUE (JA & LA) DEPARTMENT

G.O.Rt.No. 208

Dated: 07-06-2021

Read the following:-

1. From the Chief Commissioner of Land Administration, Telangana, Hyderabad, Ref.No.LA.II(B)/1030/2017, dt:16.03.2021.
2. BRO No.707, Finance (EBS.VII) Department, Dt:04.06.2021.

* * *

ORDER:

In the circumstances reported by the Chief Commissioner of Land Administration, Telangana, Hyderabad in the reference 1st read above, the Finance (EBS.VII) Department issued Budget Release Order in the reference 2nd read above to the Special Chief Secretary Land Administration, HoD T.S., Hyderabad for an amount of Rs.58,95,63,000/- (Rupees Fifty Eight Crore Ninety Five Lakhs Sixty Three Thousand only) Scheme as Additional Funds towards pending contempt cases posted in Hon'ble High Court in relaxation of treasury control and quarterly regulation orders by way of obtaining supplementary estimates during the F.Y. 2021-2022 under the following scheme:-

(Rs.in Lakhs)

S. No.	Head of Account	Charged/ Voted	Provision in B.E. 2021- 22	Additional Amounts Sanctioned	Amount Re - Appropriated Authorized	Total Provision in BE 2021-22	Amount Already Authorized	Amount Authorized Now	Balance Amount Available
Scheme Name: District Offices Collectors Establishment Procedure of Drawl of Funds : Detailed Voucher Bill Drawing Officer: Concerned DDO Remarks:									
1.	2053-00-093-25-03-500-501	C	0	58,95.63	0	58,95.63	0	58,95.63	0
Total BRO			0	58,95.63	0	58,95.63	0	58,95.63	0

2. The Finance (EBS VII) Department have requested the Revenue Department to take necessary action for issue of administrative sanction as per the instructions issued in U.O.Note No.29875-A/1283/A1/BG.1/2006, Finance (BG.I) Department, Dt:25.11.2006.

3. Government, therefore, hereby accord administrative sanction to the Chief Commissioner of Land Administration, T.S., Hyderabad to draw an amount of Rs.58,95,63,000/- (Rupees Fifty Eight Crore Ninety Five Lakhs Sixty Three Thousand only) from B.E. provision 2021-22 towards Pending contempt cases posted in Hon'ble High Court, under the head of accounts mentioned in para-1 above.

(P.T.O)

4. The Chief Commissioner of Land Administration, Telangana State, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SOMESH KUMAR
CHIEF SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, T.S., Hyderabad.

Copy to:-

The Director of Treasuries and Accounts, Telangana, Hyderabad.

The Pay and Accounts Officer, Hyderabad.

The Accountant General, Hyderabad.

The Finance (EBS.VII) Department.

Sf / Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER