

[ 3167 ]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
THURSDAY, THE TWENTY EIGHTH DAY OF APRIL TWO THOUSAND AND  
TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 20874 OF 2022

Between:

Mudigonda Koteswara Rao, S/o. Satyam,

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Tribal Welfare Department, T.S.Secretariat, Secretariat Buildings, Hyderabad
2. The State of Telangana, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, T. S. Secretariat, Secretariat Buildings, Hyderabad
3. The Commissioner and Director Of Tribal Welfare, T.S.Bhavan, MasabTank, Hyderabad
4. The Commissioner of Panchayat Raj and Rural Development, Himayatnagar, Hyderabad
5. The District Collector, BhadradriKothagudem District.
6. The District Panchayat Officer, BhadradriKothagudem Dist.
7. The Mandal Panchayat Officer, Mandal PrajaParishad, Julurupadu

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 a Writ, Order or direction more in the nature of Mandamus declaring the action of the respondents in treating Julurupadu as Schedule Area without declaring the said Village as Scheduled Area either in Notification issued under Tribal Areas Regulation 1359 Fasali under C.O.No.2 dt.16.11.1949 or notification issued by the President of India in C.O.No.26 Scheduled Areas Part-B States Order 1950 dt.7.12.1950 keeping in view of Part-3 of the said Notification and taking into account of the notification No.21 dt.21.4.1950 issued under Hyderabad Land Revenue Act 1317 Fasali which is specifically meant for collection of land revenue and treating Julurupadu as Scheduled Area in the guise of said notification is without power, jurisdiction and authority and reserving the post of Office of Sarpanch to the Local STs of the Village of Julurupadu is without any authority under law and consequentially declare that Julurupadu Village is at any point of time not declared as Scheduled Area and to treat the said village as plain area for the purpose of following laws meant for Plain Areas in the interests of justice;

IA NO: 1 OF 2022:

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 Interim Direction directing the respondents not to reserve the post of Office

of Sarpanch of Julurupadu in favour of Local STs and to permit non tribes to contest for the said post keeping in view of Tribal Areas Regulation 1359 Fasali R/w. Para - 3 of C.O.No.26 in Scheduled Areas Part-B States Order 1950 dt.7.12.1950 pending disposal of the WP 20874 of 2022, 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 P V RAMANA Advocate for the Petitioner and GP FOR TRIBAL WELFARE for the Respondent 1 and GP for Panchayat Raj for the Respondents 2 to 7, the Court made the following.

**ORDER:**

**Post on 06.06.2022 for filing counter.**

**Any election conducted will be subject to the result of the writ petition.**

**SD/- T.KRISHNA KUMAR  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The Principal Secretary, Tribal Welfare Department, T.S.Secretariat, State of Telangana, Secretariat Buildings, Hyderabad
2. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Telangana, T. S. Secretariat, Secretariat Buildings, Hyderabad
3. The Commissioner and Director Of Tribal Welfare, T.S.Bhavan, MasabTank, Hyderabad
4. The Commissioner of Panchayat Raj and Rural Development, Himayatnagar, Hyderabad
5. The District Collector, BhadradiKothagudem District.
6. The District Panchayat Officer, BhadradiKothagudem Dist.
7. The Mandal Panchayat Officer, Mandal PrajaParishad, Julurupadu (1 to 7 by RPAD)
8. One CC to SRI. P V RAMANA Advocate [OPUC]
9. Two CCs to GP FOR TRIBAL WELFARE, High Court at Hyderabad. [OUT]
10. Two CCs to GP FOR PANCHAYAT RAJ, High Court at Hyderabad. [OUT]
11. One spare copy

**HIGH COURT**

**AARJ**

**DATED:28/04/2022**

**POST ON 06-06-2022 FOR FILING COUNTER**

**ORDER**

**WP.No.20874 OF 2022**

**DIRECTION**

