

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

**THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

WRIT PETITION (PIL) No. 271 OF 2020

Between:

P. Indra Prakash, S/o. Late Siddi Malleshham, Aged. 57 Years, Occ. Advocate,
R/o. Flat No 401 Chayamina Apartments Beside D.Pulla Reddy Sweet A.S. Raju
Nagar, Kukatpally, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by Chief Secretary, Secretariat, Hyderabad.
2. The State of Telangana, Rep. by Principal Secretary, Department of General Administration, Secretariat, Hyderabad.
3. The State of Telangana, Rep. by Principal Secretary, Department of Home, Secretariat, Hyderabad.
4. The Director General of Police, State of Telangana, Lakdikapool, 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 pass an order or direction or writ, in the nature of Mandamus duly declaring the action of the respondents in not enforcing the ban of sale and use of crackers during November 10 to 30 for Diwali Festival across State of Telangana as it was done by the several other states in India due to prevailing Covid Pandemic condition for the sake of people being illegal and arbitrary against the principles of natural justice and violative of the provisions under Article 300A of the Constitution of India and consequently direct the respondents to forthwith to ban of sale and use of Crackers during November 10 to 30 keeping in mind of Health conditions due to Prevailing Covid 19 across State of Telangana.

IA NO: 1 OF 2020

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 pass an order direct the respondents to forthwith to ban of sale and use of Crackers during November 10 to 30 keeping in mind of Health conditions due to Prevailing Covid 19 across the State of Telangana by considering the petitioner representation, pending disposal of the WP(PIL).

IA NO: 2 OF 2020

Between:

P. Indra Prakash, S/o. Late Siddi Malleshham, Aged. 57 Years, Occ. Advocate,
R/o. Flat No 401 Chayamina Apartments Beside D.Pulla Reddy Sweet A.S. Raju
Nagar, Kukatpally, Hyderabad.

...PETITIONER

AND

Contd....

1. The State of Telangana, Rep. by Chief Secretary, Secretariat, Hyderabad.
2. The State of Telangana, Rep. by Principal Secretary, Department of General Administration, Secretariat, Hyderabad.
3. The State of Telangana, Rep. by Principal Secretary, Department of Home, Secretariat, Hyderabad.
4. The Director General of Police, State of Telangana, Lakdikapool, Hyderabad.

... Respondents

5. M.K. Laxman, S/o. M.L. Kumar, R/o. H. No. 6-2-259, New Bhoiguda, Secunderabad-03.

... Proposed Respondent No.5

Petition under Section 151 CPC R/w. Order 10 Rule 1 of C.P.C., praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the Petitioner to come on record as Respondent No.5 in the above Writ Petition (Public Interest Litigation) in the interest of justice.

IA NO: 3 OF 2020

Between:

M.K. Laxman, S/o. M.L. Kumar, R/o. H. No. 6-2-259, New Bhoiguda, Secunderabad-03

... Proposed Respondent No.5/ Vacate Stay Petitioner
AND

1. P. Indra Prakash, S/o. Late Siddi Malleshham, Aged. 57 Years, Occ. Advocate, R/o. Flat No 401 Chayamina Apartments Beside D.Pulla Reddy Sweet A.S. Raju Nagar, Kukatpally, Hyderabad.

... Writ Petitioner

2. The State of Telangana, Rep. by Chief Secretary, Secretariat, Hyderabad.
3. The State of Telangana, Rep. by Principal Secretary, Department of General Administration, Secretariat, Hyderabad.
4. The State of Telangana, Rep. by Principal Secretary, Department of Home, Secretariat, Hyderabad.
5. The Director General of Police, State of Telangana, Lakdikapool, Hyderabad.

...RESPONDENTS

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 dismiss the WP(PIL) by vacating the interim order passed in I.A.No.1 of 2020 in WP.(PIL)No. 271 of 2020, dated 12/11/2020.

IA NO: 4 OF 2020

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 dispense with the filing of the certified copy of the order in IA No. 1 of 2020 in WP (PIL) No. 271 of 2020 in the interest of justice.

Counsel for the Petitioner: PARTY IN PERSON

Counsel for the Respondent Nos. 1&2: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondent Nos. 3&4: GP FOR HOME

Counsel for the Proposed Respondent: SRI P. SHASHI KIRAN

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI

AND

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

W.P (PIL) No.271 of 2020

ORDER: (Per the Hon'ble the Chief Justice Hima Kohli)

1. Learned counsel for the petitioner fairly states that no further orders are required to be passed in the present petition, as the relief in the petition was for seeking enforcement of the ban on sale and use of crackers in the month of November, during Diwali festival, on account of the COVID-19 pandemic.

2. The present petition is accordingly disposed of along with the pending applications, if any.

SD/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Secretary, State of Telangana, Secretariat, Hyderabad.
2. The Principal Secretary, Department of General Administration, State of Telangana, Secretariat, Hyderabad.
3. The Principal Secretary, Department of Home, State of Telangana, Secretariat, Hyderabad.
4. The Director General of Police, State of Telangana, Lakdikapool, Hyderabad.
5. One C.C. to Sri. P. Indra Prakash, S/o. Late Siddi Mallesham, Occ. Advocate, R/o. Flat No 401 Chayamina Apartments Beside D.Pulla Reddy Sweet A.S. Raju Nagar, Kukatpally, Hyderabad.(OPUC) **(party in person)**
6. One C.C. to Sri. P. Shashi Kiran, Advocate [OPUC]
7. Two CCs to GP for General Administration, High Court for the State of Telangana. [OUT]
8. Two CCs to GP for Home, High Court for the State of Telangana. [OUT]
9. Two C.D. Copies

Prk



HIGH COURT

DATED:22/01/2021

ORDER

WP(PIL).No.271 of 2020



Disposing of the WP(PIL).

SSV
12 copies
Dt 30/01/2021