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

TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 7993 OF 2025

Between:

Kadathala Aravind Reddy, S/o Malla Reddy, Aged 30 years, Occupation.law Student, R/o H. No. 12-3-183, Opp. ACP Office, Khadherpura, Siddipet, Telangana

...PETITIONER

AND

1. The State of Telangana, rep.by Principal Chief Secretary General Administration Department, Hyderabad.
2. The Chief Electoral Officer, Telangana, General Administration (Elections) Department, 9th Floor, B.R.K.R Bhavan, Aadharsh Nagar, Hyderabad - 500063.
3. The Chief Electoral Officer, Nirvachan Sadan, Ashoka Road, New Delhi - 110001.
4. Teenmar Mallanna @ Chinthapandu Naveen Kumar, S/o Bagaiah, Occ.MLC, Telangana, R/o Plot No. 103, 1st Floor, Nirmal Kuteer Heights, Villa-49, Peerzadiguda, 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 one in the nature of Writ of Mandamus, direct to the respondents 2 and 3 to Consider the petitioner's representation dated 01/03/2025 and take appropriate legal action against upon the Respondent no 4 ,under Section 125 of the Representation of the People Act, 1951 and Section 123(3A) of the Representation of the People Act, 1951 for promoting enmity on caste grounds. Restrain the Respondent No. 4 from the said participating in any public meetings, rallies, or campaigns pending the inquiry into his misconduct.

IA NO: 1 OF 2025

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 2 and 3 to consider the petitioners representation dated 01/03/2025 to take immediate action against Respondent No. 4 for violating the Model Code of Conduct and breaching the provisions of the Representation of the People Act, 1951, particularly under Sections 123(3A) and 125, pending disposal of the Writ Petition

Counsel for the Petitioner: SRI. PALLY VINOD KUMAR REDDY

Counsel for the Respondent No.1: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondent Nos.2&3: SRI KOPAL SHARRAF

Counsel for the Respondent No.4: ----

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT PETITION No.7993 of 2025

ORDER *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*:

Sri Pally Vinod Kumar Reddy, learned counsel for the petitioner; Sri G. Veeraswamy, learned Government Pleader for General Administration Department, for respondent No.1 and Sri Kopal Sharraf, learned counsel for respondent Nos.2 and 3.

2. Heard on admission.

3. The petitioner claiming himself to be a law student filed this petition seeking direction for respondent Nos.2 and 3 to decide his representation dated 01.03.2025 (Annexure-P1). The petitioner is unable to show that he is a 'person aggrieved'. Thus, this regular Writ Petition is not maintainable. In other words, this petition is not a Public Interest Litigation. In absence of showing that the petitioner is 'person aggrieved', the petition is not tenable. Apart from this, on a specific query from the Bench whether there exists any remedy of preferring representation under the law and in turn, the authority concerned is obliged to decide it or not, no answer is forthcoming.

4. This is trite that the Writ of Mandamus can be issued provided, it is established that there exists an enabling provision for preferring an application/appeal/representation and the corresponding duty on the authorities concerned to decide it (see **Director of Settlements, A.P. v. M.R. Apparao**[1], **Bhartiya Kishan Sangh District Bhind v. Union of India**[2], **Municipal Corpn. of Greater Mumbai v. Rafiqunnisa M.Khalifa**[3] and **Indore Development Authority & Anr. V. Sansar Publication Pvt. Ltd.**[4]). In absence of showing any such enabling provision, no mandamus can be issued.

5. Accordingly, this Writ Appeal fails and is hereby **dismissed**. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/-N. SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. PALLY VINOD KUMAR REDDY .. TMP Advocate [OPUC]
2. One CC to SRI KOPAL SHARRAF Advocate [OPUC]
3. Two CCs to GP FOR GENERAL ADMINISTRATION ,High Court for the State of Telangana. [OUT]
4. Two CD Copies

KKS
LS

[1] (2002) 4 SCC 638
[2] (2007) 4 MPLJ 548 (12)
[3] (2019) 5 SCC 119
[4] ILR 2019 MP 742 (DB)

HIGH COURT

DATED:18/03/2025



ORDER

WP.No.7993 of 2025

DISMISSING THE WRIT PETITION WITHOUT COSTS

(7)

Kpw
1/4/25