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IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH,  
AT HYDERABAD  
FRIDAY, THE TWENTY EIGHTH DAY OF FEBRUARY  
TWO THOUSAND AND FOURTEEN

PRESENT:  
THE HON'BLE SRI JUSTICE P.NAVEEN RAO  
WP NOS:5772 & 5782 of 2014

WP. NO. 5772 OF 2014:

Between:

B.Krishna Vijay Rao S/o Late B.Sankar Rao. Occ: Advocate, R/o: Plot No.53/A,  
Street No-3, Satya Sai Enclave, Military Dairy Farm Road, Kanajiguda,  
Tirumulgiri, Secunderabad.

..... Petitioner

AND

- 1 Ministry of Defence, Represented by General Officer Commanding (GOC),  
Andhra Sub-Area, Hyderabad.
- 2 Secunderabad Cantonment Board, Represented by it's Chief Executive  
Officer (CEO), Having it's office at Court Complex, City Civil Courts,  
S.D.Road, Secunderabad.
- 3 Commissioner of Police, Hyderabad City Police Commissionerate,  
Basheerbagh, Hyderabad.
- 4 Additional Commissioner of Police (Traffic), Hyderabad City Police  
Commissionerate, Basheerbagh, Hyderabad.

..... Respondents

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ order or direction by: declaring the circular order dated 20/02/2014 issued by the 1st Respondent to close the usage of roads viz i) Entrancement Road:- from S.P. Road/East Marredpally to Allahabad gate. ii) Wellington Road:- from Secunderabad club to Allahabad gate. iii) Ordinance Road:- from Safilguda junction towards Safilguda railway crossing. iv) Mornington Road:- Tirumulgiri Hanuman temple to Gough road. v) Gough Road:- Kendriya Vidyalaya crossing to East/West Marredpally by the civilians as arbitrary, illegal and contrary to Articles 14, 19 and 21 of the Constitution of India and to set aside the same;

Counsel for the Petitioner : SRI P.RAJA SRIPATHI RAO

Counsel for the Respondents No.1: SRI PONNAM ASHOK GOUD,  
ASST. SOLICITOR GENERAL

Counsel for the Respondents No. 2: SRI DEEPAK BHATTACHARJEE

Counsel for the Respondents No. 3 & 4: GP FOR HOME

WP NO:5782 of 2014

Between:

G. Suryanarayana Reddy, s/o late G. Satyanarayana Reddy,

..... Petitioner

AND

- 1 Union of India, Rep. by its Cabinet Secretary, Ministry of Defence, New  
Delhi

- 5 -
- 41 - 1
2. Officer, Commanding The Station/Sector Commander, Head Quarters, AOC Centre, Secunderabad ✓
  3. Secunderabad Cantonment Board, Rep. by its Chief Executive Officer, Cantonment Buildings, Secunderabad Court Complex, Secunderabad ✓

.....Respondents

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or any other appropriate Writ or order or any other direction declaring the decision of the respondents 2 & 3 to close the roads from S.P. Road/East Marredpally towards Allahabad Gate (Entrenchment Road), from Secunderabad Club, Pickel/West Marredpally towards Wellington Enclave (Wellington Road) from Safilguda Junction towards Safilguda Railway crossing (ordnance road) and Mornington Road, to the general public from 10 PM to 8 AM for the period 25.2.2014 to 9.3.2014 and completely (day and night) from 10.3.2014 onwards, and not to close the entry from RK Puram flyover (which turns left) at KV Trimulgherry crossing (towards Gough road) and moving towards East/West Marredpally through AOC Circle, as arbitrary and illegal and direct the respondents 2 & 3 to keep the above mentioned roads open for the general public during all time.

Counsel for the Petitioner : SRI PERI PRABHAKAR

Counsel for the Respondent No.1 : SRI PONNAM ASHOK GOUD,  
ASST. SOLICITOR GENERAL

Counsel for the Respondents No. 2 & 3: SRI Y. V. RAVI PRASAD

The Court made the following;

**ORDER:**

"In both the writ petitions, petitioners are commuters who use (1) Entrancement Road: from S.P. Road/East Marredpally to Allahabad gate; (2) Wellington Road: from Secunderabad club to Allahabad gate; (3) Ordinance Road: from Safilguda junction towards Safilguda railway crossing; (4) Mornington Road: Tirumulgiri Hanuman temple to Gough road and (5) Gough Road: Kendriya Vidyalaya crossing to East/West Marredpally, which are sought to be closed by the authorities of Army Ordnance Corps Centre. Petitioners allege that the residents living in and around Army Ordnance Corps Centre are using the above stated roads for decades and suddenly when the roads are closed, it is causing lot of inconvenience and severe hardship in commuting to various parts to them and their children. Learned counsel appearing for the petitioners contend that for the fault of the civilian authorities and the Secunderabad Cantonment Board in proper maintenance and up-keep of the roads and in

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taking appropriate precautions in ensuring road safety, the commuters cannot be subjected to hardships.

Having realized that severe hardship is caused to the commuters who have been using above stated roads for ages, the authorities concerned of the Army Ordnance Corps Centre have come forward and convened a meeting on 3.3.2014 to discuss the modalities for regulating the traffic in the internal roads of the Army Ordnance Corps Centre, ensure no disturbance to the trainees, security of the army personnel and other traffic concerns of the army are addressed in an amicable manner. Learned standing counsel produced written instructions to that extent.

Thus, the concerned authorities of the Army Ordnance Corps Centre have realized that their earlier decision is causing lot of hardship and suffering and needs to be resolved. Since, the concerned meeting is scheduled to be held on 3.3.2014, the writ petition shall stand adjourned to 6.3.2014.

However, since the commuters who are using the above stated five roads in and around Army Ordnance Corps Centre for ages, they shall be permitted to use the said roads unhindered till the issue is resolved and a permanent mechanism is evolved for the safety of the Army personnel as well as free flow of traffic to the commuters who have been using those roads for ages.

Thus, till the next date of hearing, there shall be an interim direction directing the respondents 1 and 2 in W.P. No. 5782 of 2014 and respondent No. 1 in W.P. 5772 of 2014 not to impose any restriction on free flow of the traffic and usage by civilian commuters in the following roads;

- (1) Entrancement Road: from S.P. Road/East Marredpally to Allahabad gate;
- (2) Wellington Road: from Secunderabad club to Allahabad gate;
- (3) Ordnance Road: from Safilguda junction towards Safilguda railway crossing;
- (4) Mornington Road: Tirumulgiri Hanuman temple to Gough road and
- (5) Gough Road: Kendriya Vidyalaya crossing to East/West Marredpally.

List on 6.3.2014.

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Sd/- P.SRINIVASULU  
ASSISTANT REGISTRAR

//TRUE COPY

For ASSISTANT REGISTRAR

**HIGH COURT**WRIT PETITION MISC.  
PETITION

W.P.V.M.P NO. OF 2014

IN

W.P. NO. 5782 OF 2014

Hyderabad District

Union of India,  
Rep.by its Cabinet Secretary  
... Petitioner

BY

**B. SUDHAKHAR REDDY,  
B.NEERAJA.S.REDDY  
COMP.CODE: 2244****NATURE OF APPLICATION****UNDER SEC. 151 C.P.C.**

To vacate the stay granted by this Hon'ble Court in W.P.No.5782 of 2014 dt. 28.2.2014 ,, in the interest of Justice and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the Case.

PRESENTED ON : 07.3.2014

FILED ON :07.03.2014

CASE STATUS INFORMATION SYSTEM

WP 5772 / 2014

WPSR 32789 / 2014

CASE IS:PENDING

<b>PETITIONER</b>		<b>RESPONDENT</b>	
B.KRISHNA VIJAY RAO, SECBAD		VS (GOC) MINISTRY OF DEFENCE HYD & 3 OTHERS	
PET.ADV. : RAJA SRIPATHI RAO		RESP.ADV. : GP FOR HOME	
SUBJECT: SEC'BAD CONTONMENT MATTERS		DISTRICT: HYDERABAD	
FILING DATE: 26-02-2014	POSTING STAGE : FOR ISSUES		
REG. DATE : 26-02-2014	LISTING DATE : 12-03-2014	STATUS : NOTICES	
HON'BLE JUDGE(S):		P NAVEEN RAO	

M.P | U.S.R | OTHER | VAKALATH | LOWERCOURT | PRAYER | PARTY | DAILYORDER | BACK

MAIN PRAYER TEXT

to issue a Writ of Mandamus or any other appropriate writ order or direction by: declaring the circular order dated 20/02/2014 issued by the 1st Respondent to close the usage of roads viz i) Entrancement Road:- from S.P. Road/East Marredpally to Allahabad gate. ii) Wellington Road:- from Secunderabad club to Allahabad gate. iii) Ordinance Road:- from Safilguda junction towards Safilguda railway crossing. iv) Mornington Road:- Tirumulgiri Hanuman temple to Gough road. v) Gough Road:- Kendriya Vidyalaya crossing to East/West Marredpally by the civilians as arbitrary, illegal and contrary to article 14, 19 and 21 of the Constitution of India and to set aside the same and to pass

# Army defers complete vehicle ban, curbs on

TIMES NEWS NETWORK

**Hyderabad:** In a major climb-down, probably because of the public outcry over its move to close arterial roads in the cantonment, Army authorities have deferred their plan to ban civilian vehicles on five stretches completely from March 10. However, curbs on movement of civilian vehicles between 10 pm and 7.30 am (instead of 8 am earlier) will continue for now. Contrary to their public posturing, the Army top brass has retreated from their earlier position.

The Army has imposed road traffic curbs on civilian vehicles moving from SP Road/East Marredpally towards Allahabad Gate (Entrenchment Road), from Secunderabad Club, Picket/West Marredpally towards Wellington Enclave (Wellington Road), from Safilguda junction towards Safilguda railway crossing (Ordnance Road) and Mornington Road.

A little after 10 pm, Army personnel were found letting citizens in through the Allahabad Gate from Marredpally side with a stern warning not to take the route from Wednesday. At the Safilguda crossing, however, they closed the entry from Anandbagh side. Motorists were asked to take Uttam Nagar Road to Tukaramgate and East Marredpally or return in the same direction.

Soldiers were capturing movement of civilians through handycams. About a dozen men were stationed at



NO ENTRY

each checkpoint, which had a boom barrier and a make-shift bunker.

With stiff resistance from residents of local colonies and general public on the move to ban civilian vehicles permanently, Army authorities have deferred the date of implementation of complete ban on civilian traffic movement.

"Considering public sentiments and the immediate constraints highlighted by the civilian authorities, the Army establishment has sympathetically considered to grant extension of additional time in a phased manner for closure of roads to civilian traffic," an official release issued here on Tuesday said.

The fresh implementation schedule would be issued shortly. In the meantime, Army authorities have called for a meeting with residential welfare associations (RWAs) of the neighboring localities to discuss the matter, the release added.

However, Army authorities asserted that the nighttime restrictions on movement of civilian vehicular traffic on Army roads would continue to be enforced from February 25 as announced earlier.

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- ◆ MCA (3 Years)
- ◆ Lateral Entry MCA (
- ◆ MBBS - (5/ Yrs incl
- ◆ housemanship )
- ◆ BDS- (4 Years plus
- ◆ Internship)
- ◆ MBA (2 Years)
- ◆ MHA (2 Years)

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Director / Admission  
Ph: 241030/241032

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 ► **AIMPLB backs SC: P12**  
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 Dhananjay Mahapatra | TNN

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*26/2/2014*