

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWENTY SECOND DAY OF MAY
TWO THOUSAND AND TWENTY

: PRESENT:

**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

WP(PIL). No. 94 OF 2020

Between:

Prof Rama Shankarnarayan Melkote, W/o. Shankar Narayan Sita Ram Rao Melkote

Petitioner

AND

1. State of Telangana, Rep by its Chief Secretary Department of Home Secretariat Buildings, Hyderabad
2. State of Telangana, Rep by its Principal Secretary Department of Home (Law and Order), Secretariat Buildings, Hyderabad
3. State of Telangana, Rep by its Principal Secretary Department of Transport Secretariat Buildings, Hyderabad
4. Director General of Police, State of Telangana, Hyderabad
5. Collector, Medchal Malkajgiri District, Medchal
6. The Commissioner of Police, Cyberabad, Rangareddy District.
7. The Commissioner of Police, Rachakonda, Rangareddy District.
8. The Superintendent of Police, Adilabad District, Adilabad
9. The Station House Officer, Medchal Police Station, Rangareddy District
10. The Union of India, Represented by the Secretary, Ministry of Home, North Block, New Delhi - 110001

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 particularly one in the nature of a Writ of Mandamus declaring that the action of the Respondent No 4, 6 and 7 in forcibly transporting migrant people belonging to UP, Bihar, West Bengal, Orissa, Jharkhand from various points in the city by way of RTC buses and private buses to the Telangana Maharashtra border at Adilabad particularly when adequate trains are running from Ghatkesar, Lingampally and Bolaram railway stations in Hyderabad and not registering them for train travel as irresponsible, arbitrary, discriminatory and in violation of Proceedings issued by the Respondent No 10 being the Home Secretary, D.O. No 40-10/2020-DM-I(A) dated 18/05/2020 of ensuring safe travel to migrant people and to consequentially direct the Respondent No 4, 6 and 7 to pick up walking migrant people in RTC buses and transport them to the nearest police station for registration for train travel in Shramik trains and in the interim to house them in shelter homes for providing food, water and toilet facilities and subsequently enable transport to the railway stations at the appropriate time in terms of D.O. No 40-10/2020-DM-I(A) dated 18/05/2020;

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct Respondent No 4, 6 and 7 to arrange follow-up transport services for the migrant people stranded at the Adilabad border to their destination towns and to arrange food, water and toilets at the Telangana Maharashtra border at Adilabad for those migrant people who have already arrived by way of RTC and other private buses, pending disposal of WP(PIL) 94 of 2020, on the file of the High Court.

IA NO: 2 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct Respondent No 4, 6 and 7 to forthwith stop the practice of transporting migrant people particularly those belonging to UP, Bihar, Orissa, Jharkhand and West Bengal to the Telanagna Maharashtra border at Adilabad on the NH 44 highway, pending disposal of WP(PIL) 94 of 2020, 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 Smt Vasudha Nagaraj Advocate for the Petitioner and Advocate General for the respondents, the Court made the following.

ORDER:

The petitioner submits that despite the fact that the trains started running, and the buses are plying, even then the migrant workers, who were trying to reach the destination in Uttar Pradesh, Bihar and other Northern States, are being picked up by the Police, are being placed on trucks/buses, and are being sent to Adilabad. These migrant workers are being dumped at the Adilabad border. Moreover, there are large number migrant workers who are walking on the Medchal National Highway, without any support from the Government. Despite the scorching hot weather, women and children are walking on the National Highway, some of the women are even forced to deliver children, or to carry infants with them, and to walk in the hot summer days. Learned counsel for the petitioner informs this Court that Medchal has large number of marriage halls, where these migrant workers can easily be housed by the State, and can easily be looked after by the State, till proper arrangements are made for their transportation, either by buses, or by trains leaving Hyderabad/Secunderabad area.

On the other hand, the learned Advocate General submits that Government has already provided ample facilities for the welfare of the migrant workers, who are trying to cross the State. According to him, food, and water is available for the migrant workers every 10 K.M., on the road. Furthermore, according to him, only twenty persons have tried to reach Bilaspur in Chattisgadh, and hired a private vehicle. However, the driver of the private vehicle had dropped them at Adilabad. According to the instructions received by the learned Advocate General, all the twenty persons have safely reached Bilaspur in Chattisgadh. Therefore, according to him, no migrant workers are stranded on the Adilabad border.

Be that as it may, it is the foremost duty of the State to look after the migrant workers, who are trying to reach their villages, and cities in other States. Therefore, this Court directs the State, firstly to find out as to the number of migrant workers, who are stranded on Medchal National Highway, or are walking on the Medchal National Highway. Secondly, the migrant workers who are walking on the Medchal National Highway should immediately be collected and taken to Medchal, and be housed in the marriage halls of Medchal. Thirdly, once they are housed, it is the duty of the Government to ensure that they are provided food, shelter, water, and toilets. Furthermore, the State should also see that the migrant workers are not dumped at any of the border Districts of the State. In fact, the State is directed to make concerted efforts to take the migrant workers to the nearest Railway Station/Bus Stand, where they will be able to find trains/buses to be able to reach

their villages, and cities in other States, safely and soundly. The directions issued by this Court should be strictly complied with, failing which this Court will take a serious view of any omission, or inefficiency, on the part of the State.

The learned Advocate General is directed to inform this Court on 29.05.2020 about concrete steps taken by the State to ameliorate the conditions of the migrant workers, and about the implementation of the abovementioned directions.

List this case on 29.05.2020.

Sd/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Secretary Department of Home, State of Telangana, Secretariat Buildings, Hyderabad
 2. The Principal Secretary Department of Home (Law and Order), State of Telangana, Secretariat Buildings, Hyderabad
 3. The Principal Secretary Department of Transport, State of Telangana, Secretariat Buildings, Hyderabad
 4. Director General of Police, State of Telangana, Hyderabad
 5. Collector, Medchal Malkajgiri District, Medchal
 6. The Commissioner of Police, Cyberabad, Rangareddy District.
 7. The Commissioner of Police, Rachakonda, Rangareddy District.
 8. The Superintendent of Police, Adilabad District, Adilabad
 9. The Station House Officer, Medchal Police Station, Rangareddy District
 10. The Secretary, Ministry of Home, Union of India, North Block, New Delhi - 110001 (Addressees 1 to 10 by RPAD)
 11. One CC to Smt Vasudha Nagaraj Advocate [OPUC]
 12. Two CC to Advocate General, High Court, Hyderabad (OUT)
 13. Two spare copies
- Csk

HIGH COURT

HCJ
&
BVRJ

DATED:22/05/2020

NOTE: POST ON 29.05.2020

ORDER

WP(PIL).No.94 of 2020

INTERIM DIRECTION

