

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY

WRIT PETITION No.41868 of 2015

-
28.12.2015

Between:

Pathakamuri Subbarao and others

.. Petitioners

and

The State of Andhra Pradesh,
represented by its Secretary,
Panchayat Raj Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.I.Koti Reddy

Counsel for respondent Nos.1 to 3: Assistant Government Pleader
for Panchayat Raj (AP)

Counsel for respondent No.4: --

-
The Court made the following:

-

-

-

-

-

-

-

-

-

-

ORDER:

The petitioners, who are 51 in number, filed this writ petition feeling aggrieved by the denial of old-age/widow pension (for short 'pension') to them.

A perusal of the report in Rc.No.C/200/2015, dated 05.08.2015, of respondent No.4 would show that the applications made by 73 persons for grant of pension were enquired into by the said respondent and he has found 23 out of said 73 persons eligible for pension while the remaining 51 persons are found not eligible for such pension. Respondent No.4 has, accordingly, submitted the aforesaid report, dated 05.08.2015, to respondent No.2, wherein he has further stated that further steps will be taken upon the approval of the report by the Mandal Pension Committee. The 51 persons, who are held to be not eligible for pension, have filed the present writ petition.

At the hearing, Mr.G.Seshadri, learned standing counsel appearing for respondent No.4, has not disputed that as per the prescribed procedure, a person, who is aggrieved by the denial of pension, is entitled to file an appeal before the Mandal Level Committee and that the said Committee is entitled to examine the legality or otherwise of such denial and direct sanction of pension, if it finds that such applicant is eligible for such pension. As the aforementioned report of respondent No.4 would show that he has submitted his report to the Mandal Level Committee/Mandal Pension Committee, it is appropriate that the said Committee examines the grievance of the petitioners and take a decision as to whether they are eligible for pension or not.

Therefore, respondent No.4, who is stated to be the Convener of the aforesaid Committee is directed to place the petitioners' applications for pension before the Committee and ensure that individual notices are issued to the petitioners, an enquiry is held,

wherein the Committee shall examine the individual cases of the petitioners for pension in the light of the criteria mentioned in G.O.Ms.No.135, Panchayat Raj and Rural Development (RD.I) Department, dated 17.09.2014 and communicate the decision to the petitioners separately within a period of two months from the date of receipt of a copy of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.53999 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

28th December, 2015

GHN