

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

PUBLIC INTEREST LITIGATION Nos. 293, 296 and 299 of 2015

Dt:12.10.2015

Between:

Chirala Jaggi Reddy.

... Petitioner

And

The State of A.P. and others.

... Respondents

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PC:

Heard learned counsel for the petitioners.

In these Public Interest Litigations, the prayer made by the petitioners is similar.

The prayer in PIL No.293 of 2015 reads thus:

“For the reasons stated in the accompanying affidavit, the petitioners herein pray that this Hon’ble Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus, declaring the action of respondent No.1-State passed in G.O.Ms.No.18 Department for Women, Children (Prog) Disables and Senior Citizens, dated 15.05.2015 in reconstitution the selection committee as illegal, arbitrary and unconstitutional and consequently quash the same and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Learned counsel for the petitioners, at the outset, invited our attention to G.O.Ms.Nos.15 and 28, dated 04.04.2012 and 02.12.2014 respectively and submitted that the Reconstituted Committee does not include Local Peoples’ Representative as a member of the Committee and the reconstitution, though in accordance with G.O.Ms.No.18 Dt. 15.05.2015, is illegal and arbitrary. The challenge to the GO is

primarily by reference to the earlier procedure in which, the Peoples' Representative was considered and included in the Committees. The exclusion, it is contended, is without basis and GO is liable to be set aside.

On the other hand, learned Government Pleader contends that the GO is issued having regard to the experience in working of the suspended GO and its inclusion or exclusion is at best a policy decision of the Government to oversee welfare programme and no exception can be taken to such decision. The Government Pleader draws the attention of this Court to the orders in PIL.No.94 of 2015 and PIL.No.137 of 2015.

We have perused the material on record and noted the submissions of learned counsel appearing for the parties.

We have perused G.O.Ms.No.18, dated 15.05.2015, and it appears therefrom that the Reconstituted Committee consists of Government Officers including District Collector as a Chairperson. Earlier, local Member of Legislative Assembly was also Member of this Committee. Merely because the petitioners' names have now been deleted cannot by itself a ground for challenging G.O.Ms.No.18, dated 15.05.2015, by way of Public Interest Litigation. The petitioners failed to demonstrate that a vested or statutory right is infringed. Except contending that the GO is unconstitutional, no material is placed in support of such contention. We find no merit in the challenge.

The Public Interest Litigations are dismissed.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:12.10.2015

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