

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.14957 OF 2011

ORDER:

This writ petition is filed seeking to issue a writ, order or direction more particularly, one in the nature of writ of *Mandamus* to declare the action of the respondent in issuing Notice vide Letter No.A1/372/2006, dated .02.2011, directing the petitioner to vacate Government Quarter No.4-3-29 situated at Vikarabad, Ranga Reddy District immediately as illegal and arbitrary, and consequently, to set aside the same.

2. Case of the petitioner is that he is working as Attender in Central Primary School, Alampally, Vikarabad, Ranga Reddy District. He was appointed as Attender in the year 1988 and worked in various places in and around Vikarabad, and from 1996 till date, he is working in the abovementioned school. In the year 1991, he applied for allotment of Government Quarters at Vikarabad and pursuant to his application dated 01.09.1991, the then Mandal Development Officer, Vikarabad was pleased to allot the aforementioned quarter and from 1991 onwards, he is residing in the said quarter and the rent is being deducted from his salary regularly and when the amount is not deducted from his salary due to administrative reasons, the same shall be paid by him in the treasury through challans. While so, a notice has been issued to him in the month of February, 2011 vide letter No.A1/372/2006, dated .02.2011, directing him to vacate the quarters immediately stating W.P.No.166 of 2011 was filed before this Court and this Court fixed time limit for six weeks for vacating the staff quarters. The petitioner approached the office of the respondent and informed that he was unaware of the said writ petition and the same was filed by some retired persons, who are in occupation of Government quarters for long time even after their retirement. Hence, he filed the present writ petition.

3. Learned counsel for the petitioner stated that though the petitioner is working as Attender in Central Primary School, Alampally, Vikarabad, which is a Government School, the respondent has issued the impugned notice to vacate the

aforementioned quarters and hence, he prays to set aside the impugned notice.

4. Learned counsel for the respondent, basing on the counter-affidavit, stated that by mistake, the impugned notice was issued to the petitioner since the petitioner is serving as an Attender in the Government School.

5. Recording the said submission, the Writ Petition is allowed setting aside the impugned notice. However, it is open for the respondent to initiate action according to law if situation warrants. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.RAJASHEKER REDDY

Date: 06.10.2015

AMD

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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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