

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

WRIT PETITION No.3712 of 2009

-
23.07.2015

Between:

M.Balamani

...Petitioner

And

The Executive Engineer (Housing), Mahabubnagar and others

...Respondents

Counsel for the petitioner: Mr.Kusuri Satyanarayana

Counsel for respondent Nos.1 to 3: Mr.A.K.Jaya Prakash Rao

Counsel for respondent No.4: None appeared

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to set aside proceedings, dated 03.02.2001, of respondent No.1, whereby he has rejected the petitioner's application for sanction of pension consequent on the death of her husband, who was the work charged employee of the Andhra Pradesh Housing Board.

At the hearing, Mr.A.K.Jaya Prakash Rao, learned counsel for respondent Nos.1 to 3, placed before the Court a copy of judgment, dated 06.11.2014, in W.P.No.27530 of 2008 and batch, whereby a Division Bench of this Court held that the Andhra Pradesh Housing Board falls within the description of "local authority" and that, therefore, the Andhra Pradesh Administrative Tribunal has got jurisdiction to decide the issue pertaining to the matters covered under Section 15(3) of the Administrative Tribunals Act, 1985.

The learned counsel for the petitioner has not disputed the above position in law.

In the light of the aforementioned judgment of this Court, the appropriate remedy for the petitioner is to approach the Andhra Pradesh Administrative Tribunal for ventilating her grievance.

Accordingly, the Writ Petition is dismissed, without adjudicating on the merits of the case, with liberty to the petitioner to avail the above suggested remedy.

As a sequel to dismissal of the writ petition, W.P.M.P.No.4833 of 2009 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

23rd July, 2015
GHN