

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

WRIT PETITION NO.19055 OF 2012

DATED:30-7-2015

Between:

Mala Tirupathaiah

and others ... Petitioners

And

The State of Andhra Pradesh

Rep. by its Principal Secretary

(Housing Corporation), Secretariat

Hyderabad

and others

... Respondents

COUNSEL FOR THE PETITIONERS: Mr. U.Ramanjaneyulu

COUNSEL FOR RESPONDENT NO.1: G.P. for Housing (AP)

COUNSEL FOR RESPONDENT NO.2: G.P. for Revenue (AP)

COUNSEL FOR RESPONDENT NOs.3 and 4: Mr. T. Sudhakar Reddy,

Standing Counsel for

A.P. Housing Corporation

COUNSEL FOR RESPONDENT NO.5: None appeared

THE COURT MADE THE FOLLOWING:

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ORDER:

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This writ petition is filed with the grievance that part payments to the petitioners in respect of houses constructed under Indiramma Housing Scheme are

not being released.

A detailed counter affidavit is filed by the Deputy Executive Engineer of Andhra Pradesh State Housing Corporation Limited, Sub-Division, Pattikonda, Kurnool District, wherein it is *inter alia* stated that payments to all the petitioners have been released depending upon the stage of construction of houses. The tabular statement prepared in the counter affidavit shows that in case of some of the petitioners full payments were released and in some other cases part payments have been made. Since withholding of the balance payments is attributable to the non-completion of houses in all respects, no mandamus can be issued to the respondents to make full payment unless the houses are completely constructed by the beneficiaries. However, the petitioners are permitted to approach respondent No.3 by producing proof of completion of construction. On production of such proof, respondent No.3 shall verify and release the balance payments.

As regards the amounts released to respondent No.5, the grievance of the petitioners is that the same have not been released by the former. Respondent No.3 is directed to examine this grievance of the petitioners and ensure that respondent No.5 releases the payments received by her to the respective petitioners to whom the amount is intended to be paid.

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.24421 of 2012 shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

30-7-2015

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