

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

Writ Petition No.23226 of 2010

Dated 12th August, 2015

Between:

K.Satyanarayana

...Petitioner

And

Sri Kanakamahalakshmi Ammavari Devasthanam, Visakhapatnam,
rep.by its Executive Officer and others

...Respondents

Counsel for the petitioner: Sri M.Hara Bhupal

Counsel for the respondents: None appeared

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to declare the action of respondent No.1 in stopping pension to the petitioner as illegal and arbitrary.

I have heard the learned counsel for the petitioner.

There is no representation for the respondents.

The petitioner retired as Senior Assistant while working in respondent No.1-Devasthanam on 31.05.2003 on attaining the age of superannuation. The petitioner applied for sanction of pension. By proceedings in Rc.No.A1/631/2001, dated 04.03.2004, the Executive Officer of respondent No.1 has sanctioned pension. Six years later, respondent No.1 has issued show-cause notice to the petitioner as to why sanction of pension shall not be withdrawn. The petitioner is stated to have submitted his explanation, dated 20.08.2010. As the petitioner's pension was stopped pending passing of orders by

respondent No.1, he has filed this writ petition.

Though this writ petition is pending for more than five years, no interim order has been granted in favour of the petitioner. Indeed, the interlocutory application filed by the petitioner for a direction to pay pension was dismissed by this Court by order, dated 21.09.2010.

At the hearing, the learned counsel for the petitioner submitted that so far respondent No.1 has not passed order in pursuance of the show-cause notice issued by it.

In the above facts and circumstances of the case, I feel it appropriate to direct respondent No.1 to pass an order on the show-cause notice, dated 10.08.2010, after giving the petitioner an opportunity of personal hearing and considering his explanation, within a period of two months from the date of receipt of a copy of this order. It is made clear that if respondent No.1 has already passed such an order, it shall communicate the same immediately on receipt of this order.

Subject to the above direction, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.37139 of 2014 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

12th August, 2015
VGB