

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.32357 of 2015

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DATED : 06.10.2015

Between :

Dasari Kumari D/o.Yesu,

Aged about 23 yrs, Occu : Agricultural Cooli,

R/o.Kondasamudram Village,

Voletivari Palem Mandal, Prakasam District, A.P. & others.

.. Petitioners

and

State of Andhra Pradesh,

Rep., by its Secretary,

Panchayat Raj Department,

Secretariat, Hyderabad. & others.

.. Respondents

This court made the following :

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ORDER :

Petitioners 1, 3 and 4 belong to Scheduled caste community. Petitioners 6 to 9 and 11 belong to Backward class community.

1st petitioner is 100% physically disabled person and petitioners 12 & 14 are widows. The petitioners claim that they are poor people and eking out their livelihood by attending to agricultural coolie work. In the year 2006 having considered the plight of the petitioners, Government granted them pension and petitioners were drawing the pension as granted to them all along till the year 2014. In the year 2014 Government has formulated new guidelines and notified vide G.O.Ms.No.135 dated 17.09.2014. In pursuant to these guidelines, revised exercise was undertaken, wherein the names of the petitioners was excluded from the list of eligible persons for grant of Social Security Pension. Aggrieved thereby, petitioners filed appeal before Mandal Pensions Committee (6th respondent) on 11.10.2014 and their appeals were acknowledged by the Mandal Parishad Development Officer, but so far no orders are passed compelling the petitioners to institute this writ petition.

2. When the matter is taken up, learned counsel for the petitioners submit that petitioners appeal is pending consideration and a direction be issued to the respondent authorities to pass orders on their appeal within a fixed time frame. On account of delay in passing orders on their appeals, petitioners are put to lot of hardship and suffering, since the pension earlier paid to them is now denied.

3. Learned Standing counsel disputes filing of appeal and submits that if fresh appeals are submitted by the petitioners, the same would be considered.

4. Having regard to the submissions made, the writ petition is disposed of granting liberty to the petitioners to make a detailed appeal to the Mandal Parishad Development Officer, Santhanuthalapadu Mandal, Prakasam District, (4th respondent), and as and when such appeal is filed, the same shall be considered objectively and a reasoned order be passed and communicate the same to the petitioners within a period of four (4) weeks thereafter. If the 4th respondent, on consideration of the claim of the petitioners finds the petitioners as eligible persons, he shall accordingly send proposals to the Project Director, District Rural

Development Agency, Ongole, Prakasam District (3rd respondent) and on receipt of such proposal, the 3rd respondent shall consider the same and take appropriate decision as warranted by law, within a further period of four weeks. The petitioners are entitled to submit all the relevant documents along with their appeal in support of their claim for entitlement to draw the pension under Social Security Pension Scheme. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

06th October, 2015.

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