

HON'BLE SRI JUSTICE R.KANTHA RAO

W.P.No.24551 OF 2015

ORDER

This writ petition is filed seeking to declare the action of the respondents 2 and 3 in not considering the representation dated 28.1.2015 made by the petitioner as arbitrary and illegal.

The petitioner worked as Sanitary Maistry in the respondent-Tirumala Tirupathi Devasthanam and retired from service on 30.06.2010 on attaining the age of superannuation. While he was in service, one P.Venkaiah, co-employee, obtained loan of Rs.2,00,000/- for purchase of house situated in Kottala Vilalge, Chandragiri Mandal. The said P.Venkaiah pledged the registered original documents with the 2nd respondent-authorities and on his request, the petitioner stood as surety. While so, P.Venkaiah absconded from duties and deserted the job from 20.06.2003. Hence, disciplinary proceedings were initiated against him and he was removed from service for his unauthorized absence.

Learned counsel appearing for the petitioner submits that as on the date of removal from service, said P.Venkaiah had put on nearly 30 years of service and the benefits accrued to him were amounting to Rs.10,00,000/-, but the same were not disbursed to him. He further submits that already an amount of

Rs.2,50,000/- towards house loan was recovered by PRC arrears, salary and pensionary benefits. He also submits that the respondents ought to have recovered the equitable mortgage loan amount from out of the service benefits of Venkaiah, instead of recovering the same from pension amount of the petitioner. Setting forth her plea not to recover any amounts from her pensionary benefits, and pay full amount of pension, for which she is entitled, the petitioner made representation dated 28.1.2015, but so far no action has been taken.

Under these circumstances, the Writ Petition is disposed of directing the respondent-TTD to take appropriate steps to recover the mortgaged loan amount relating to P.Venkaiah from out of his service benefits, in accordance with rules and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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

JUSTICE R.KANTHA RAO

06th August, 2015
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