

**THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD**

WRIT PETITION No.32055 of 2016

DATE: 22.09.2016

Between:

Chelluri Sarojini

....Petitioner

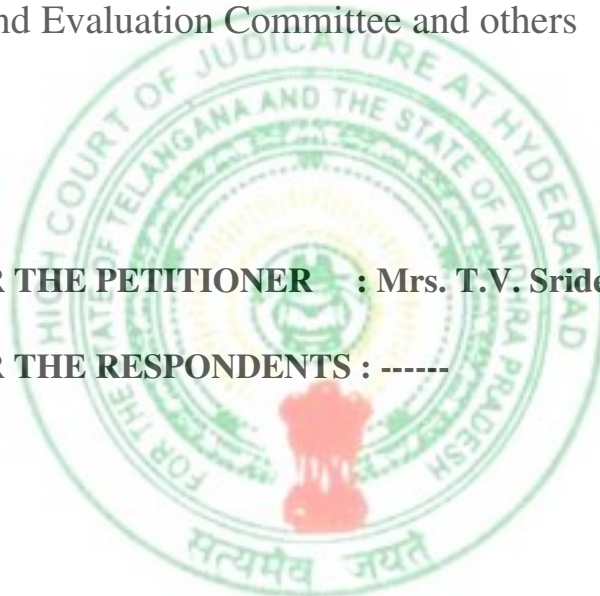
and

The Scrutiny and Evaluation Committee and others

....Respondents

COUNSEL FOR THE PETITIONER : Mrs. T.V. Sridevi

COUNSEL FOR THE RESPONDENTS : -----



**THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD**

WRIT PETITION No.32055 of 2016

ORDER: (Per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This Writ Petition is filed feeling aggrieved by order, dated 24.06.2016 in LAC.No.94 of 2016 on the file of the Chairman, Scrutiny and Evaluation Committee, District Legal Services Authority, East Godavari, Rajahmundry.

After hearing Smt. T.V. Sridevi, learned counsel for the petitioner and perusing the record, we are of the opinion that the Chairman, Scrutiny and Evaluation Committee, Rajahmundry has made a very correct approach in examining whether the petitioner has *prima facie* case for exemption from payment of huge Court fees of Rs.22,36,300/-. The Chairman has rightly pointed out that except an unregistered will and a photocopy of adangal of the year 2008, no scrap of document was filed by the petitioner to establish her *prima facie* case. Indeed, the impugned order is in consonance with the spirit of the provisions of Section 13(1) of the Legal Services Authorities Act, 1987, which made *prima facie* satisfaction of the authority concerned as a *sine qua non* for rendering legal services.

We trust, all the District Legal Services Authorities follow the procedure followed in the instant case by the Chairman and Scrutiny Evaluation Committee, Rajahmundry by properly evaluating the *prima facie* case, instead of granting exemption in a routine manner

which, in our opinion, will breed vexatious and speculative litigation.

In the light of the above discussion, we have no reason to interfere with the well-considered order of the Chairman of the Scrutiny and Evaluation Committee, District Legal Services Authority, East Godavari, Rajahmundry. The petitioner is however permitted to file a suit in Forma Pauperis, and in such an event, the Court concerned shall consider the same on its own merits. We also direct that the observations contained either in the impugned order or in this order of ours should not influence the Court in deciding the civil suit that may be filed by the petitioner.

Subject to the above observations and direction, the writ petition is dismissed.

As a sequel to dismissal of writ petition, WPMP.No.39640 of 2016 filed by the petitioner stands dismissed as infructuous.

C.V. NAGARJUNA REDDY, J

G. SHYAM PRASAD, J

22nd SEPTEMBER, 2016.

Note: A copy of this order shall be circulated to the High Court Legal Services Committee, the Legal Services Authorities of the States of Telangana and Andhra Pradesh and all the District Legal Services Authorities.

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