

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No. 31997 OF 2016

O R D E R:

This writ petition is filed seeking a writ of *mandamus* declaring the action of the second respondent in directing the third respondent to evict the petitioner from the quarter bearing No.12-29, Revenue Quarters, Pattikonda Village and Mandal, Kurnool District, declaring him as an unauthorized occupant, as illegal and arbitrary.

It is the case of the petitioner that the aforementioned quarter was allotted in favour of his father way back in the year 1992 and since then they were living therein. His father retired as a Mandal Revenue Officer, Tuggali Village and Mandal, in the year 1994 and died on 05.02.2008. While so, the Government has taken a decision to allot the Government Quarters/land of NSRS (Srisailam) Project to the people below poverty line / retired Government employees of NSRS (Srisailam) Project, on free or nominal rate basis, and accordingly, issued G.O.Ms.No.21, Irrigation and CAD (PW-MAJOR.IX) Department, dated 05.02.2009. Therefore, the petitioner submitted a representation dated 25.07.2016 to the second respondent to regularize the said quarter in his favour either on free or on nominal rate basis. However, the second respondent through the impugned order while declaring the petitioner as un-authorised occupant directed the third respondent to evict him from the subject quarter. Hence, this writ petition.

Admittedly, the father of the petitioner was a Government employee. He occupied the Government quarter while he was in service. After his retirement, he continued to hold the Government

quarter unauthorizedly. Subsequently, he died. But, the petitioner did not inform about the retirement and death of his father and continued to hold the Government accommodation unauthorizedly. Since the Government has taken a decision to allot the Government Quarters to the poor people / retired employees, the occupation of the Government Quarter by the petitioner is illegal. Therefore, he is liable for eviction from the said premises.

At this juncture, the learned counsel for the petitioner requests to grant some time to the petitioner to vacate the quarter.

In the circumstances, the Writ Petition is disposed of granting six months time to the petitioner to vacate the subject quarter, otherwise it is open for the respondents to evict the petitioner.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

A. RAJASHEKER REDDY, J

Date: 23.09.2016
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