

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.8305 of 2012

ORDER:

1. This writ petition was filed challenging the action of the respondents in rejecting the application for grant of type 2RT quarter to the petitioner vide G.O.Ms.No.76 dated 31.01.2012 contrary to the G.O.Ms.No.630 dated 29.10.2010.

2. The petitioner states that he is working as an attender in the High Court of Andhra Pradesh, Hyderabad. He submitted a representation to the respondents for allotment of quarter 2RT type at Malakpet colony, Hyderabad. Though he was allotted 2RT type quarter No.MC-122 at Malakpet colony, Hyderabad, he could not occupy the same on the ground of ill-health of his mother, who subsequently died. Thereafter, he submitted an application to the 2nd respondent requesting him to handover physical possession of the said allotted quarter. The 2nd respondent issued proceedings on 23.07.2011 stating that the quarter, which was allotted to him initially, was allotted to some other applicant and the petitioner was directed to choose any other eligible vacant 2RT Government quarter for consideration. Accordingly, he submitted an application to the respondents on 20.08.2011 for consideration of allotment of quarter No.262 at Malakpet colony, Hyderabad, as the occupant was going to vacate the same by the end of August, 2011 and he has also given no objection letter to the respondents. However, the said application of the petitioner was rejected by the 2nd respondent on 20.10.2011. Challenging the same, the petitioner filed W.P.No.30602 of 2011 and the same was disposed of by this Court on 28.11.2011 directing the 2nd respondent to consider the case of the petitioner in accordance with law. After receipt of the copy of the said order, he submitted another representation to the 2nd respondent for consideration of his case and the same was rejected, but, however, he was allotted SRT Government quarter No.D-33 at B-block, Malakpet colony,

Hyderabad, stating that he was not eligible for allotment of type 2RT quarter as he is working as attender. Challenging the allotment of SRT quarter No.D-33 at B-block, Malakpet colony, Hyderabad, and in rejecting his request for allotment of type 2RT quarter, the present writ petition was filed by the petitioner.

3. Though no counter-affidavit was filed by the respondents, the learned Government Pleader appearing for the respondents submits that the petitioner was allotted a quarter suitable to his status as per the Government Orders and it is for the petitioner to occupy the same. However, he submitted that the petitioner is not entitled for allotment of type 2RT quarter for which he is insisting.

4. In view of the above position, the petitioner cannot insist for allotment of type 2RT quarter though it was wrongly allotted on an earlier occasion, which he did not occupy. The petitioner could not show any Government Order authorizing him to occupy type 2RT quarter or for allotment of the same.

5. The Writ Petition is accordingly dismissed. No order as to costs.

6. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

03-03-2016

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