

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.44182 OF 2016

DATED : 19.12.2016

Between :

Ergam Reddy Venkata Maheswar Reddy,
S/o.Late Nagi Reddy, Aged about 50 yrs,
Occu : Ex-Chairman, K.C.Canal Distributory Committee,
R/o.Khajipeta Village and Mandal, Y.S.R.District.

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Education Department,
Secretariat Buildings, Secretariat,
Velagapudi & others.

.. Respondents



This court made the following :

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ORDER :

Petitioner questions the inaction on the part of respondents 2 to 5 in protecting the property belonging to the 6th respondent- Zilla Parishad High School and illegal enjoyment of said property by 7th & 8th respondents. Petitioner claims that he was ex-student of 6th respondent-School and was the Chairman of K.C.Canal Distributory Committee.

2. Heard learned counsel for the petitioner and learned Government Pleader for Education.

3. The averments made in the affidavit filed in support of the writ petition would disclose that no personal right of the petitioner is affected and his grievance is that the property of a public institution like the 6th respondent should be properly protected in the larger interest of the public and the illegal exploitation of the property belonging to the 6th respondent should be stopped.

4. Thus, these averments would disclose that petitioner's interest is not affected. Petitioner is projecting the larger public interest. Thus, the writ petition in his individual capacity is not maintainable as he is not the person aggrieved on alleged illegal action and if he has any grievance against misuse of public property or the funds of the public institution like Zilla Parishad High School, he has to avail the remedy of Public Interest Litigation and not in the individual capacity. Thus, leaving it open to the petitioner to avail the remedy as available in law to agitate against illegal exploitation of public property for personal gain by 8th

respondent, the writ petition is dismissed. There shall be no order as to costs.

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

19th December, 2016
Rds

P.NAVEEN RAO,J

