

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.739 OF 2016

ORDER

The prayer of the petitioners in this case is as under:

'It is prayed that this Hon'ble Court may be pleased to issue appropriate writ, order or direction, more particularly, a Writ of Mandamus declaring the action of the Respondents not considering the candidatures of the petitioners for the selections under the self employment and economic support scheme as per the GO. Ms.No. 101, dated 31-12-2013, pursuant to the Interview conducted by the 3rd respondent dt.09-12-2015, by showing the non allotment for the petitioners two Panchayat, of Parigi Mandal, Anantapur District, as illegal, void, arbitrary, unjust, and contrary to the law, in violation of Art.16, and 21 of the Constitution of India, consequently to direct the respondents to consider the petitioner candidatures for selections/benefit under the self employment and economic support scheme as per the GO. Ms.No.101, dated 31-12-2013, pursuant to the Interview conducted by the 3rd respondent dt.09-12-2015, and pass such other and further orders in the interest of Justice.'

The Mandal Parishad Development Officer, Mandal Praja Parishad, Parigi, filed a counter-affidavit, wherein he stated as follows:

'I submit that all the 6 petitioners have applied for benefits under Self Employment Schemes / Economic Support Schemes through SC Action Plan for 2015-16 and BC Action Plan for 2015-16 and they have attended the interview on 09.12.2015. I submit that their individual cases are as follows:

- a. Mr.C. Sannamallappa, the 3rd Petitioner herein, belonging to Scheduled Caste, has applied for Petty Shop Unit, and the same is not covered under the target units under SC Action plan 2015-16 vide Lr. Rc. No. 05/2015-M, dated 14.12.2015 of the Executive Director, District Scheduled Caste Service Co-operative Society Ltd, Ananthapuramu and hence he is not eligible to get the benefits under SC Action Plan for this financial year.
- b. Mr. P. Eswarappa, 4th Petitioner herein,

belonging to Scheduled Caste, has applied for Auto Trolley, and the same is not eligible due to non-submission of Driving License and also the said unit is not provided in the list of Units of target approved for the Mandal, and hence he is not eligible to get the benefit under SC Action Plan for this financial year.

- c. Mr. M. Thippeswamy, the 5th Petitioner herein, belonging to Scheduled Caste, has applied for Brick Making Unit, which is not provided in the list of Units of target approved for the Mandal, and hence he is not eligible to get the benefit under SC Action Plan for this financial year.
- d. With respect to the remaining three petitioners, i.e. Petitioner Nos.1, 2 & 6, belonging to Backward Classes, their candidatures may be considered in the Screening of Selection List based on their eligibility as per the rules in vogue, and the same is to be finalized along with other applicants from the two Gram Panchayats.'

In the light of the aforestated counter-affidavit averments, Sri D. Sudarshan Reddy, learned counsel for the petitioners, fairly stated that those of the petitioners who are found eligible may be considered as pointed out in para 5 (d) of the counter-affidavit *supra*.

The writ petition is accordingly disposed of directing the respondent authorities to consider the candidature of petitioners 1, 2 and 6 in accordance with the rules expeditiously. Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

23rd FEBRUARY, 2016

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