

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 12288 of 2016

ORDER:-

This writ petition is filed under Article 226 of Constitution of India seeking a Writ of Mandamus to declare the list of beneficiaries prepared by the respondents 1 to 3 as illegal, arbitrary and contrary to G.O.Ms.No.101, dated 31.12.2013, and consequently, to direct the respondents 1 to 3 to prepare a fresh list of beneficiaries under the self employment scheme strictly in accordance with the said G.O.

The case of the petitioners is that the 1st respondent has issued G.O.Ms.No.101, Social Welfare (SCP.I) Department, dated 31.12.2013, framing certain guidelines for effective implementation of self employment schemes. As per the said G.O., preference shall be given to women beneficiaries so as to cover a minimum of 33 1/3rd of the total target for the District and Mandal level. The 1st respondent also framed rules relating to holding of meetings of Grama Sabhas under G.O.Ms.No.162, dated 04.04.1997, as amended by G.O.Ms.No.367, dated 28.08.1998. It is also their case that 134 beneficiaries can be allotted loans under the self employment scheme for Bestawaripeta Mandal,

Prakasam District, and their selection should be in accordance with G.O.Ms.No.101, dated 31.12.2013. Out of the said target, 33 1/3rd preference shall be given to women. Though 72 applications were received from women candidates, only 15 women candidates have been selected, contrary to the ratio of 33 1/3rd as prescribed by G.O.Ms.No.101. The final list of beneficiaries has also been prepared and forwarded to the respondents 4 to 8 banks who are likely to grant loans to the beneficiaries. The grievance of the petitioners is that though they have submitted applications on 23.11.2015 by complying with all the formalities, their cases have been neither accepted nor rejected and there is no intimation to them. Hence, the present writ petition is filed.

Learned standing counsel for the 3rd respondent, on instructions, submits that the cases of all eligible candidates have been considered and only such of those candidates, whose cases were within the norms, have been recommended to the financing banks, respondents 4 to 8 herein.

Learned standing counsel for SBI appearing for the respondents 4 and 5 submits that the banks' role is to grant loans only to such of those eligible beneficiaries

who have been recommended by the respective competent authorities.

Though the learned counsel for the petitioners submits that there is violation in following the prescribed procedure in identifying the beneficiaries and seeks setting aside the list of selected beneficiaries, in the absence of beneficiaries not being parties to the writ petition, this Court is not inclined to consider the prayer of the writ petitioners. However, inasmuch as the grievance of the petitioners is that neither their applications have been considered nor rejected, interest of justice would be served if a direction is given to the respondents to consider their applications in terms of G.O.Ms.No.101.

Accordingly, the Writ Petition is disposed of directing the respondents 1 to 3 to consider the applications of the petitioners, and if they are found eligible, their applications also shall be processed in terms of G.O.Ms.No.101, Social Welfare (SCP.I) Department, dated 31.12.2013. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

CHALLA KODANDA RAM, J

20th April, 2016
cbs

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