

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.29071 of 2009

Between:

Kurella Venkata Satyavathi.

....Petitioner

and

The Collector, Ranga Reddy District,
At Lakdikapool, Hyderabad,
And others.

....Respondents

JUDGMENT PRONOUNCED ON : 25.02.2016

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?
2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to : No
see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.29071 of 2009

ORDER:

The petitioner, who claims to be the President of Women's Organization for Rural Development Technical Advancement and Human Welfare Society (WORTH), alleges to have run the hostel for uplifting of rural women development in accordance with the objectives of the Society since 1998. The Society was registered in the year 1994 with registration No.2045/1994. The hostel was run in the premises bearing No.Plot No.6, Sripuram Colony, Malakpet (PO), Hyderabad. It is her case that, though the hostel was run till 30.09.2009 and thereafter the hostel was closed due to financial problems, no amount was released to the hostel after 2003-2004.

This Writ Petition was filed for release of grant-in-aid for the academic years 2004-2005 to 2009-2010.

A counter affidavit is filed by respondent Nos.2 to 4 stating that the Andhra Pradesh Government has issued orders vide G.O.Ms.No.13, Higher Education Department, dated 15.02.2007, to constitute District Level Committees to scrutinize the proposals of Non-Government Organisation for seeking financial assistance from Government of India under Centrally Sponsored Scheme "Strengthening of Boarding and Hostel facilities for girl students of Secondary and Higher Secondary School (Junior Colleges)". The District Vocational Education Officers were made as Nodal Officers. The fifth respondent released grants to the petitioner's organisation up to 2003-2004. However, as per the report of the second respondent, the list of boarders mentioned for the year 2006-2007 did not tally with the students of the concerned Junior Colleges and it was concluded that the management was not running the hostel for the years 2006-2007 and 2007-2008. After receipt of proposals from the petitioner, the third respondent instructed the second respondent to enquire into the matter. The second respondent visited the organisation on 12.06.2008. The petitioner furnished the list of boarders in the hostel for the years 2006-2007 and 2007-2008 including the certificates from the Junior Colleges in which the students were studying and on the next day i.e., on 13.06.2008, when the second respondent visited the concerned Junior Colleges, it was noticed that the names of the boarders were not existing in the admission registers of the respective Colleges. The enquiry report revealed the following situation:

“* The surroundings were dirty, the rooms are also not cleaned. Some of the boxes are dumped in a room, no evidence of staying of girls in the hostel.

* The Petitioner has stated to the 2nd respondent that 92 students were staying in the hostel as per records, but it seems that the hostel is insufficient to accommodate such a number of students. No single student was present in the Hostel and it seems the hostel was not in function.

* A list of utensils are furnished, but a single article in the list is not available in the hostel. When the same thing was asked to the petitioner, she replied that, she has taken them to her home for some function. Even on verification at petitioner's home, the same were not found by the enquiry officer.

* The petitioner furnished the Xerox copies of attendance of staff members, but no other staff members were present except the Warden at the time of visit of 2nd respondent.”

As on the date of the visit on 12.06.2008 there was no evidence that the hostel was being run and it was noticed that no single boarder was available. No staff member was present on duty at that time. In those circumstances, it was concluded that the hostel was not functioning for the years 2006-2007 and 2007-2008. The respondents enquired into the matter and submitted a report to the fifth respondent stating that the organisation was a fraud and misappropriation of Government funds took place.

The petitioner did not file any reply contradicting the averments made in the counter affidavit by respondent Nos.2 to 4.

In the circumstances, no relief can be granted as the facts stated by the petitioner are disputed in the counter affidavit of the respondents. However, it is open to the petitioner to satisfy the fifth respondent with regard to running of the hostel for the period from 2004-2005 to 2009-2010 as claimed by the petitioner in the Writ Petition independently, and as and when the petitioner submits the required proof it is open to the fifth respondent to take necessary action in accordance with law.

The Writ Petition is, accordingly, dismissed subject to the above observations. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

25.02.2016

vs