

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 13281 of 2004

ORDER:

None appears for the petitioner.

The case of the petitioner is that he participated in freedom struggle during the year 1942 and he remained underground for more than six months. He was arrested in 1943 and was in sub-jail, Bhimavaram as an under-trial prisoner. He was recognised as a political sufferer. He is entitled to the house site of an extent of 300 square yards. He stated that he made several representations and when no action is taken, he filed the present writ petition.

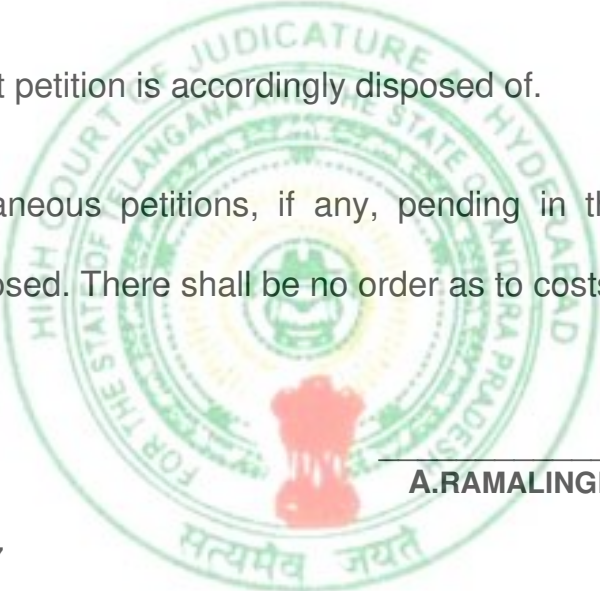
The petitioner was aged about 78 years when he filed the present writ petition in the year 2004.

Respondent No.2 filed a counter-affidavit stating that the petitioner has not submitted any supporting document with regard to his participation in freedom movement and his imprisonment. There are several Governmental Orders specifying that the freedom fighters, who are receiving freedom fighters pension, are entitled for allotment of house site of an extent of 300 square yards. But, the petitioner has not submitted any jail certificate nor proof of receiving any freedom fighters pension. In view of the same, the petitioner is not eligible for allotment of house site under the category of freedom fighters.

Though the said counter-affidavit was filed in the year 2015, no reply was filed. In the absence of any evidence as to the entitlement of the petitioner for allotment of house site and in the absence of any details even in the affidavit filed in support of the writ petition, no relief can be granted to the petitioner. However, this will not prevent the petitioner from applying afresh, in accordance with law, by showing the proof of his participation in the freedom movement and/or receiving freedom fighters pension to get the allotment of house site in his favour.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



A.RAMALINGESWARA RAO,J

Dt:06.06.2017

kdl

