

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10311 OF 2017

DATED : 24.03.2017

Between :

A. Sattaiah S/o.Lasmaiah,
Aged about 56 years, working as Panachayat Secretary,
Grade-III, Gram Panchayat, Allor,
Raikal Mandal, Jagtial Mandal,
r/o.Aloor.

...

Petitioner

And

District Panchayat Officer,
Jagtial District, Jagtial & two others.

...

Respondents



This Court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.10311 of 2017****ORDER :**

Petitioner claims to have been appointed as Bill Collector on 01.04.1981 in the Gram Pachayat, Allipoor. After re-designation of various posts in Gram Panchayat, the petitioner is re-designated as Panchayat Secretary, Grade-III, and has been working in the said capacity till date.

The grievance of the petitioner is that periodical increments are not granted to him, which are payable to him at the interval period of 10 years, 16 years and 24 years, as per the Government Scheme. According to the petitioner, on a request made by him, the Mandal Parishad Development Officer (MPDO), Raikal, recommended to the District Panchayat Officer, Jagtial-1st respondent, vide letter dated 28.01.2016, to grant the scales to which the petitioner is entitled. But, so far no orders are passed.

Learned counsel for the petitioner submits that the petitioner is due for retirement on 31.07.2018 after attaining the age of superannuation and if these benefits are not extended to him, grave prejudice would be caused.

In view of the fact that the MPDO recommended for sanction of the benefits in his letter, dated 28.01.2016, and according to the petitioner, so far no decision is taken on the said recommendation, without expressing any opinion on the merits of the case, the Writ

Petition is disposed of directing the District Panchayat Officer, Jagtial-1st respondent, to examine the proposal submitted by the MPDO in his letter, dated 28.01.2016, and take a decision on the claim made by the petitioner and pass appropriate orders as warranted by law and communicate the decision to the petitioner within a period of two months from the date of receipt of the copy of this order.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

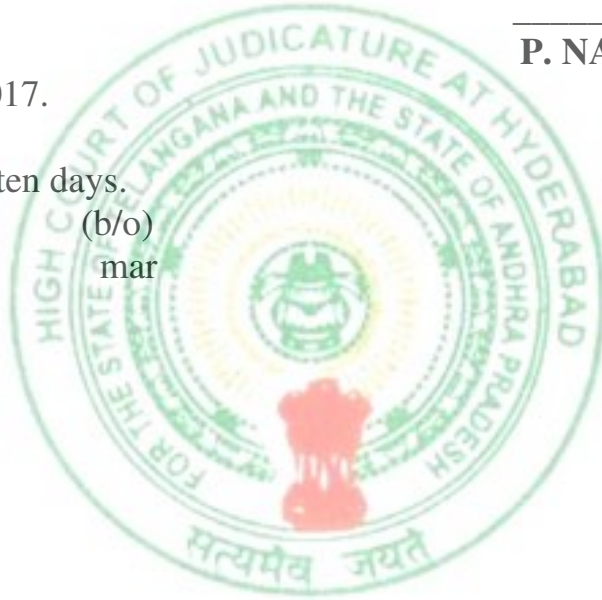
24th March 2017.

Note:

Issue C.C. in ten days.

(b/o)
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P. NAVEEN RAO, J



the representation of the petitioner favourably and which may have effect on the claim of the 4th respondent, the 4th respondent shall be put on notice and due opportunity of hearing shall be given before passing of the orders adverse to her interest. There shall be no order as to costs.

as ventilated in her representation, dated 10.02.2017, and pass appropriate orders as warranted by law by assigning due reasons in support of his decision, within a period of eight weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

to examine the claim of the petitioner for provision of compassionate appointment having regard to the scheme as applicable and pass appropriate orders as warranted by law by assigning due reasons in support of the decision, within a period of six weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

. Having regard to the said submission and without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing the 1st respondent to consider the appeal, dated 04.01.2017, and pass appropriate orders as warranted by law by assigning due reasons in support of the decision, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

4. However, as the order was passed by the Depot Manager, the question of consideration by him does not arise. Having regard to the submission of learned counsel for petitioner, without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing the 3rd respondent to forward the representation submitted by the petitioner to the Regional Manager, A.P.S.R.T.C., West Godavari Region, Eluru, West Godavari District, the 2nd respondent, within one week from today and on receipt of such representation, the 2nd respondent shall consider and pass appropriate orders as warranted by law by assigning due reasons in support of his decision, within a period of two weeks thereafter and communicate the same to the petitioner. There shall be no order as to costs.

or into commercial space and also constructed pent houses contrary to the building permission. On account of such illegal construction, grave prejudice is caused to the petitioner in the matter of parking vehicles and utilizing facilities as originally promised by the builder.

Alleging such illegal construction, on behalf of the petitioner, a legal notice was issued on 30.08.2016 to the 2nd respondent-Deputy Commissioner, Circle No.IX A. A reminder was also sent alleging that said complaint is not acted upon and petitioner is continuing to suffer. Hence, this writ petition is filed.

When the matter is taken up, learned Standing Counsel for Greater Hyderabad Municipal Corporation would submit that since a complaint is already filed, an appropriate response would be given to the petitioner and if any illegality is noticed, appropriate action will be taken and requested for disposal of the writ petition.

Learned counsel for the petitioner agreed with the same and sought a direction to consider the representation/notice already submitted, expeditiously.

Having regard to the said submissions, without expressing any opinion on merits and preserving the rights of the 4th respondent/builder, if any, the writ petition is disposed of, directing the 3rd respondent to consider the notice dated 30.08.2016 and the representation dated 07.11.2016 said to have been filed by the

petitioner, examine the grievance and take such course of action as warranted by law, within six weeks from the date of receipt of a copy of this order and communicate the decision thereon to the petitioner. If the 3rd respondent is of the opinion that there are deviations by the builder, he may cause notice to the builder and a due opportunity may be given to him as warranted by law.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

16th November 2016.

Note :

Issue C.C. in three days.

(b/o)
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P. NAVEEN RAO, J

