

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10327 OF 2017

DATED : 24.03.2017

Between :

Kummarikuntla Madhava Rao S/o.Appa Rao
29 years, Village Revenue Assistant,
Khammam and another.

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Petitioners

And

Tahasildar, Khammam (Urban) Mandal,
Khammam District, State of Telangana & four others.

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Respondents



This Court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.10327 of 2017****ORDER :**

Petitioners claim that they have been working as Village Servants since the order of their appointment, dated 18.03.2011, however, they are not paid salaries and allowances as payable to them from the date of appointment.

Except the order of appointment, dated 18.03.2011, no material is brought on record to show that the petitioners were actually joined in service and have been working. The appointment order is of the year 2011 and more than six years the petitioners kept quite and now they are claiming that they are not getting salaries and allowances. However, there is no averment in the affidavit as to why the amount is not paid.

Since no material is brought on record, no relief as sought for by the petitioners can be granted at this stage.

Accordingly, this writ petition is disposed of granting liberty to the petitioners to make a representation before the District Collector, Khammam-2nd respondent, ventilating their grievance with supporting material to show that they have been working as Village Servants and as and when such a representation is made, the 2nd respondent shall examine their claim and issue suitable direction as warranted by law. It is needless to say that if the petitioners have been working the denial of salaries and allowances payable to them cannot be

appreciated. Therefore, due attention be given to their claim by the 2nd respondent and such directions be communicated to them within a period of six weeks from the date of submission of representation.

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

P. NAVEEN RAO, J

24th March 2017.

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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

