

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.30508 OF 2017

DATED : 12.09.2017

Between :

Gopidi Raja Ram S/o.Papaiah,
Aged about 74 yrs, Occu : Agriculture,
R/o.Regadimaddikunta Village, Sultanabad Mandal,
Peddapalli District.

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Petitioner

And

The State of Telangana,
rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings,
Secretariat & Others.

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Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner applied for digging a bore well for irrigation purpose of the agricultural land owned by him. Government formulated a scheme wherein, it would provide subsidy under Mahatma Gandhi Rural Employment Guarantee Scheme to dug bore wells for small farmers. A person is classified as small farmer if he holds a dry land of not more than Ac.5-00. Petitioner applied for the said scheme and availed the benefit of subsidy. Later it was found that petitioner cannot be classified as a small farmer.

3. According to the District Rural Development Agency, petitioner has two extents of lands; land to an extent of Ac.4.12 guntas in Sy.No.270 and Ac.2-31 guntas in Sy.No.845/B of Regaddimaddikunta Village, Sultanabad Mandal, Peddapalli District. Therefore, petitioner is not a small farmer. Accordingly, orders are passed to recover the amount of subsidy availed by him.

4. Petitioner now sought to contend that both the properties stand in his name, but he is not the owner of the land in Sy.No.845/B and that it belongs to his wife. Therefore, he is a small farmer.

5. It is not in dispute that both the lands stand in the name of petitioner and this factum was not disclosed when he sought to avail the benefit of subsidy. Hence, I do not see any error in the decision arrived at by the authority in demanding to pay back the

subsidy amount availed by him. Thus, the writ petition deserves to be dismissed.

6. Accordingly, the Writ Petition is dismissed. However, liberty is granted to the petitioner to file an application within two (2) weeks from today to the Tahsildar, Sultanabad Mandal, Peddapalli District, to permit him to deposit the money in three instalments. On submission of such application within the time granted, the Tahsildar may grant permission. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

12th September 2017
Rds

P.NAVEEN RAO,J

