

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 10193 of 2008

ORDER:

1) The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of the respondents in not paying the stipend @ Rs.3,835/- per month from June to December, 2005 and Rs.4,410/- from January, 2006 to May, 2006 to the petitioner as per G.O.Ms.No.131, dated 24.04.2006 and Memo No.J3/ 12471/ 2005, dated 27.04.2007 as illegal, arbitrary and contrary to the orders passed by the Government; and consequently to direct the respondents to pay the said amount.

2) The averments in the affidavit filed in support of the writ petition would show that the petitioner, who belongs to S.T. community, secured rank No.9152 in EAMCET 1999 for admission into MBBS Course. As she was denied admission in MBBS Course on the ground that she has not paid an amount of Rs.1,25,000/- towards admission fee, she filed W.P.No.27156 of 1999 before this Court, which was allowed on 15.03.2000. Pursuant thereto, the petitioner joined in MBBS Course in KIMS, Narketpally, Nalgonda District in the year 2000 and has completed the said Course in the year 2005. Thereafter, she joined as a House Surgeon on 05.06.2005 and completed the same in the month of May, 2006. While things stood thus, the first respondent issued G.O.Ms.No.131, dated 24.04.2006 according sanction for payment of stipend to the interneers (House Surgeons) at the enhanced rate

of 15% with effect from 01.01.2006. In view of the above, the petitioner herein claims to have made a representation dated 10.03.2006 seeking payment of enhanced stipend. Pursuant to the said representation, the second respondent issued orders vide memo dated 23.01.2007 directing the third respondent to take necessary action for payment of maintenance/ mess charges as per the rates applicable for professional courses. But the third respondent has sanctioned scholarship @ Rs.740/- per month instead of paying stipend as per the applicable rates. Challenging the same, the present writ petition came to be filed.

3) No counter has been filed disputing the averments made in the affidavit.

4) Learned counsel for the petitioner would submit that when the G.O. contemplates, enhancing the stipend to 15% the authorities, for the reasons best known have not paid any amount to the petitioner. The Government Pleader for Medical and Health would submit that if the amount is not paid as per the G.O., the authorities shall take steps in accordance with law.

5) Recording the statement made, the writ petition is disposed of directing the respondents to comply with G.O.Ms.No.131, dated 24.04.2006 and Memo dated 27.04.2007, and pay the amount to the petitioner, if already not paid, as early as possible, preferably, within a period of three months from the date of receipt of a copy of the order.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

14.09.2017
gkv

