

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

TUESDAY THE ELEVENTH DAY OF JULY
TWO THOUSAND AND SVENTEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 15413 OF 2004

Between:

The Commissioner,
Panchayat Raj & Rural Employment,
Hyderabad & Ors. ... Petitioners

V/s.

N. Dattatreya Rao ... Respondent

Counsel for the Petitioners : Govt. Pleader for Services -II

Counsel for the Respondent : Sri T.V.S. Kumar

The court made the following: : [order follows]

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
A N D
HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 15413 OF 2004

ORDER : (*Oral, Per the Hon'ble Sri Justice Suresh Kumar Kait*)

This Writ Petition is filed invoking the jurisdiction of this Court under Article 226 of the Constitution of India seeking writ of certiorari, calling for the records relating to the order dated 04/12/2003 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No. 7570 of 2003, whereby the respondents were directed to adjust the amount of Rs.11,786/- towards interest of House Building Advance taken by the respondent, as evidenced from the proceedings of the Office of the Accountant General, dated 21/12-10-2003 and release the balance amounts to the respondent along with interest @ 10% per annum in accordance with the Government Circular Memo.No. 37989/A/494/A-2/Pen-I/98, dated 21/4/1999.

2. We have heard the learned Government Pleader appearing on behalf of the petitioners and the learned counsel appearing on behalf of the respondent.

3. The challenge in the present writ petition is only to the extent of 10% of interest per annum as directed by the learned Tribunal.

4. Sri T.V.S. Kumar, learned counsel appearing on behalf of the respondent submits on instructions that he has no objection if the present writ petition is allowed, however, the petitioners may be directed to release the title deed of the house which is lying with the petitioners.

5. Learned Government Pleader appearing on behalf of the petitioners submits that the said document shall be released within two weeks from the date of receipt of a copy of this order.

6. In view of the above, this writ petition is partly allowed and we hereby modify the order dated 04/12/2003 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No. 7570 of 2003 to the extent of interest @ 10% per annum awarded by the learned Tribunal. The petitioners are directed to release the title deed of the house within two weeks from the date of receipt of a copy of this order. No order as to costs.

7. As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SURESH KUMAR KAIT

JUSTICE U. DURGA PRASAD RAO



11-07-2017
IsL

NB: Furnish CC tomorrow.
B/o. IsL

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE JUSTICE U. DURGA PRASAD RAO**

87



WRIT PETITION No. 15413 OF 2004
*(Order of the Division Bench delivered by
Hon'ble Sri Justice Suresh Kumar Kait)*

Date. 11-07-2017
Court Master: I s L
Computer No. 43
Circulation No.87