

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No. 20530 of 2009

ORDER:

Heard the learned counsel for the petitioners as well as the learned Assistant Solicitor General and the learned Government Pleader for Revenue.

2. The prayer of the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Court may be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus directing the respondents 1 and 3 to recognize Sri Mahakala Bala Papi Reddy @ Balaraju as Camp In-charge of Machupahad Hills, situated at Machupahad (village), old Jangaon Taluq, Warangal (District), as per the report of the District Collector (respondent No.2), dated 20.08.2009 in RC.No.A3/76/2009, as per his representation dated 28.04.2008 and pass appropriate orders in the interest of justice.”

3. It is the case of the petitioners that they are freedom fighters having worked in 'Machupahad Hills' Camp situated at Machupahad (village of Old Jangaon Taluq), Warangal District, under the camp leadership of Sri Mahakala Bala Papi Reddy @ Balaraju, freedom fighter as sub-camp in-charge, against Nizam regime during 1947-48 for liberation of Nizam State and merger of the same in Indian Union. The Government of India as well as the State Government in recognition of the services of the freedom fighters against the Nizam regime evolved a scheme known as "Swatghanthra Sainik Samman Pension Scheme, 1983". As per the said scheme, the people who participated in the freedom movement against Nizam rule are entitled for pension from the Central Government. As per the said scheme, an application has to be submitted duly certified by the camp in-charge that the particular freedom fighter has worked under him. Thereupon, the

State Government would forward the applications to the Central Government and the screening committee constituted by the Central Government will finalise the applications and grant the pension under the said scheme. Since the said Sri Mahakala Bala Papi Reddy @ Balaraju, was not recognized as the camp in-charge of Machupahad Hills, the present writ petition is filed seeking a direction to recognize him as camp in-charge.

4. In the counter-affidavit filed by the third respondent, it is stated that the representations of Sri Mahakala Bala Papi Reddy @ Balaraju received through various public representatives have been considered and replied by the Hon'ble Home Minister confirming that the Government has already recognized 116 border camps and their camp-in-charge on the suggestions of Hyderabad Special Screening Committee and the above limit regarding the border camps has been frozen by virtue of the Cabinet decision, as per D.O. Letter dated 15.01.2010 itself. Therefore, the question of recognizing the said Sri Mahakala Bala Papi Reddy @ Balaraju as camp in-charge may not arise.

5. Having heard both the learned counsel and from the perusal of the material on record, the only question that crops up for consideration is:

“Whether Sri Mahakala Bala Papi Reddy @ Balaraju should be recognized as camp in-charge?”

6. As per the scheme, recognition of camp in-charge is the concern of the State Government after verifying the information

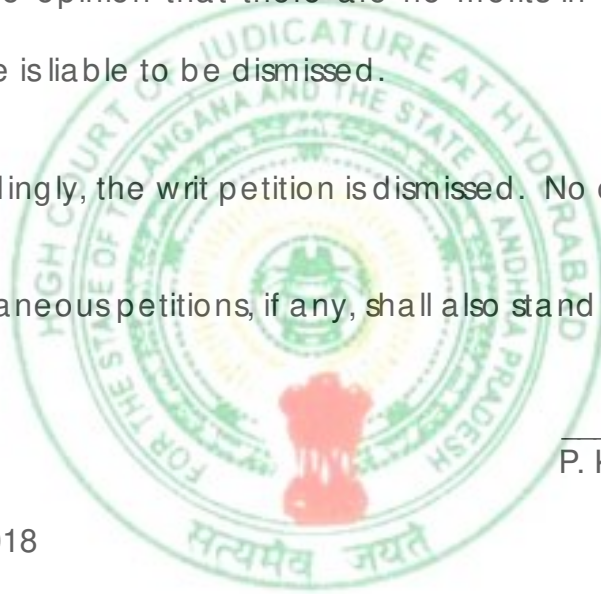
received from all sources. In the case on hand, after receipt of the representations, the State Government enquired with regard to the said camp in-charge and confirmed that the State Government already recognized 116 border camps and their camp in-charge on the suggestions of Hyderabad Special Screening Committee and the same has become final by virtue of Cabinet decision, as per D.O. letter dated 15.01.2010. Therefore, at this length of time, the question of recognition of Si Mahakala Bala Papi Reddy @ Balaraju as camp in-charge does not arise. In these circumstances, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHA VA RAO, J

Date: 23.10.2018
ccm



HONOURABLE SRI JUSTICE P. KESHA VA RAO



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