

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.18677 OF 2018

ORDER

Petitioner is the Accountant's General Office Employees Co-operative Housing society Limited and it is represented by its Secretary. As per the averments made in the affidavit filed in support of the writ petition, petitioner – Society was allotted office space in the premises of the Accountant General Office in the year 1959 to run the administration of the society, the object of which is to provide affordable house sites and flats to its members who are the employees of the Accountant General's Office. By the impugned notice dated 1.5.2018, petitioner society was required to vacate the premises and handover the possession of rooms by 31.05.2018, with a default cause. Petitioner submitted its explanation and by proceedings of the Estate Officer, Office of Accountants' General, Hyderabad, dated 25.5.2018, petitioner was directed to vacate the premises on or before 11.06.2018. Aggrieved by the same, present writ petition has been filed.

Learned counsel appearing for the petitioner submits that petitioner – Society was allotted the subject premises in the year 1959 and it has been paying all the rentals and no amounts are due and that as required by the respondents, petitioner has already changed the name of the society; and allegation of receiving several complaints against the members of the housing society, is false and the same are made with a view to paralyse the functioning of the society. He submits that without affording the petitioner any opportunity to put-forth its case and in violation of principles of natural justice, impugned order has been passed and the same may be set aside.

Heard Sri K.Lakshman, learned Standing Counsel for 1st respondent, Sri B.Narasimha Sharma for respondents 2 to 4 and Sri Gadi Praveen Kumar for the 5th respondent. The submissions of the learned counsel are to the effect that, apart from allegations against the members of the society, there is shortage of working space in the office of Accountant General and therefore to provide comfortable working space, which has precedence over the activities of the society, it was directed to vacate. They submit that no rights of the petitioner – society are affected and there is also no violation of any statutory rule. Therefore, they sought to dismiss the writ petition.

From a reading of the proceedings dated 25.05.2018 issued by the Estate Officer, Offices of Accountants' General, Hyderabad, it could be seen that apart from other irregularities, the petitioner – society was required to vacate the subject premises for providing comfortable working space for regular functioning of Accountant General Office. The allotment of space to the petitioner – society cannot stand on a higher pedestal, than the requirement of space for regular administration of the office of the Accountant General. As contended by the learned counsel for the respondents, petitioner – society could not demonstrate how its legal rights are affected and that there is violation of any statutory provision. Before directing the petitioner to vacate the premises, it has been issued with a show cause notice and after considering its explanation and taking into consideration the requirement of space for regular functioning of Accountant General Office, which is paramount, petitioner – society was directed to vacate the subject premises.

Having regard to the above facts and circumstances, I do not find any illegality or irregularity in the impugned proceedings, and the writ petition is devoid of any merit and the same is accordingly dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A. RAJASHEKAR REDDY, J

DATE: 08—06—2018

AVS

