

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.4889 OF 2017**

**ORDER:-**

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

***“to issue an appropriate writ, direction or order, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the Respondent No.1, 2, 4, 6 in affording pension to the petitioners under the “NTR Bharosa Scheme”, as illegal and arbitrary and it is further consequentially prayed that direct the respondent No.10, to forthwith restore pension to petitioner No.1 to 32, duly paying them arrears w.e.f September 2014 and continue to pay all the petitioners the pension regularly.”***

2. The grievance of the petitioners is that in spite of the fact that they are eligible for the pension under the aforesaid Scheme, their claim has been rejected by the respondent authorities.

3. Counter-affidavits are filed stating that the authorities have not considered the case of the petitioners, as they are found to be ineligible for drawing the pension as per G.O.Ms.No.135, Panchayat Raj and Rural Development (RD.I) Department, dated 17.09.2014, and they have to approach the Mandal Level Pension Committee and file an appeal, as the said Committee is the appellate authority under the said G.O. and without approaching the Mandal Level Pension Committee, the petitioners have approached this Court. In those circumstances, the respondents prayed for dismissal of the writ petition.

4. Heard the learned counsel for the petitioners, Sri Ravi Cheemalapati, learned Standing Counsel appearing for respondent Nos.1 to 7 and the learned Government Pleader for Panchayat Raj and Rural Development (A.P.) appearing for respondent Nos.8 to 11.

5. Considering the respective submissions, this Court is of the view that the persons identified as ineligible for pension under the aforesaid Scheme by the Gram Panchayat/Ward Pension Committee have a right of appeal to the Mandal Level Pension Committee, in terms of para No.6 of G.O.Ms.No.135, dated 17.09.2014.

6. Accordingly, the Writ Petition is disposed of giving liberty to the petitioners to approach the Mandal Level Pension Committee by way of filing an appeal for redressal of their grievance by setting out the facts, and as and when the petitioners approach the said Committee, the Committee shall consider the same and dispose of the appeal in accordance with law. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

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**JUSTICE CHALLA KODANDA RAM**

Date: 16.04.2018  
AMD

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