

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.21091 OF 2007

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the 2nd respondent in issuing Memo No.E5/3160/2006, dated 21.08.2006, declining to allot house site to the petitioner in Jawaharnagar lay out of Shameerpet of Ranga Reddy as arbitrary, illegal and against the very spirit of Swatantra Sainik Samman Pension Scheme and consequently to direct the respondents to allot house site to the petitioner either in the left over plots in Jawaharnagar lay out of Shameerpet of Ranga Reddy District or within the limits of Greater Hyderabad Municipal Corporation, Hyderabad.

Heard Sri C.Damodar Reddy, learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondents.

It is the case of the petitioner that he is a freedom fighter having actively participated in the freedom movement, especially in the struggle against Nizam autocracy for merger of Hyderabad State in Indian Union. The Government of India has recognized his services as a freedom fighter and granted pension under Swatantra Sainik Samman Pension

Scheme *vide* proceedings dated 11.10.1984 and since then, he has been drawing his monthly pension.

Learned counsel for the petitioner submits that in recognition of the struggle in the freedom movement, the State Government has taken a policy decision to allot house sites to the freedom fighters and that the petitioner has submitted an application to the District Collector, Warangal, on 16.10.1993 for allotment of a house site as a freedom fighter. The petitioner has been submitting series of representations for allotment of house site in Jawaharnagar lay out of Shameerpet of Ranga Reddy District, but the respondents had rejected his case vide impugned order dated 21.8.2016 stating that transfer of names of freedom fighters from one district to another district are not permissible. Learned counsel for the petitioner further submits that since the petitioner is a native of Warangal, his case atleast can be considered for allotment of house site at Warangal itself and its periphery.

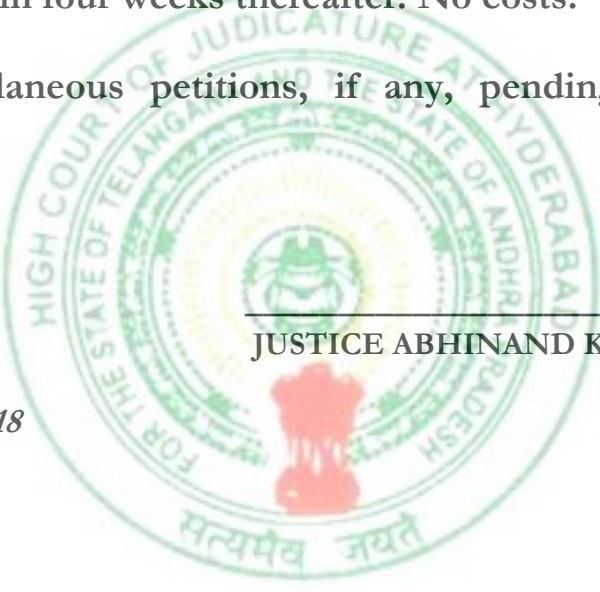
Learned Government Pleader submits that if the petitioner submits a representation seeking allotment of house site at Warangal and its periphery, the respondents would consider the same and pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered

view that the case of the petitioner can be considered for allotment of house site at Warangal or its periphery.

Accordingly, the Writ Petition is disposed of directing the petitioner to submit a representation to the respondents for allotment of house site at Warangal Town or its periphery, within two weeks from the date of receipt of a copy of this order and on such representation being made, the respondents shall consider and pass appropriate orders thereon within four weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE ABHINAND KUMAR SHAVILI

14th March, 2018
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