

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5987 OF 2002

ORDER

This writ petition is filed seeking the following relief:

“...to issue a Writ of Mandamus or any other appropriate writ directing the respondents herein to formulate the ‘Pension Scheme’ as ordered by the Supreme Court and retire both the petitioners herein with effect on and from 9.5.1997 and grant the consequential relief to fix the monthly pension and all other attendant pensionary benefits payable from the date of retirement and to pay reasonable amount every month pending fixation of regular pension and pass such other order or orders as may be deem fit and proper in the circumstances of the case.”

Heard Sri Vidya Sagar, learned counsel appearing for the petitioners and learned Government Pleader for Endowments appearing for the respondents.

Learned counsel appearing for the petitioners submits that though the petitioners are working as Hereditary Archakas, the respondents have not framed any scheme for grant of pension and other benefits to them in terms of judgment of the Apex Court in *A.S.Narayana Deekshitulu vs State of A.P.*¹ whereby the Apex Court had directed the State to formulate pension scheme to the cadre of Regional Joint Commissioner and Deputy Commissioner. But, the

¹ AIR 1997 SC 3702

respondents are not considering the cases of the petitioners and not extended the pensionary benefits to the petitioners.

Learned counsel appearing for the petitioner submits that during pendency of the writ petition, the petitioners expired and their legal representatives were brought on record *vide* orders dated 4.6.2009 and 11.12.2014; and that appropriate orders be passed directing the respondents to grant pension and other benefits to the legal representatives of the deceased petitioners.

Learned Government Pleader appearing for the respondents contends that the cases of the legal heirs of the deceased petitioners will be considered and appropriate orders will be passed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that ends of justice would be met if a direction is given to the legal representatives of the deceased petitioners to submit a representation afresh to the respondents.

Accordingly, the Writ Petition is disposed of directing the legal representatives of the deceased petitioners to submit a representation afresh to the respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider

the same and pass appropriate orders thereon within a period of four weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

14th December, 2018
rkk

