

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.4064 OF 2013

ORDER:

Heard the learned counsel for the petitioners, learned Government Pleader and learned Standing Counsel for the respondents.

2. The prayer sought in the writ petition is as under:

“... to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the inaction of the respondents for conversion of sheds bearing Nos. 10, 11, 6 and 17 of Mini Industrial Estate, Gajularamaram, Qutubullapur mandal, Ranga Reddy district from lease to hire purchase basis, as was done in respect of Shed bearing Nos. 1, 16 and 21 as illegal, arbitrary, unjust and discriminatory and consequentially direct the 1st respondent to pass necessary orders for conversion of the same as per the recommendations made by the 2nd and 3rd respondents and as well as the Joint Inspection Committee.”

3. The facts of the case are that the petitioners belong to scheduled caste community. As per GO.Ms.No.213 Social Welfare (B-1) Department dated 30.12.1981, the Government established Mini Industrial Estate at Gajularamaram in the year 1984 by constructing 20 sheds of size 20 x 30 ft. for allotment to SC entrepreneurs initially on lease basis. Pursuant to the same, after enquiry, the petitioners were allotted shed Nos. 10, 11, 6 and 17 on 19.9.1986, 5.6.1996, 23.5.1988 and 21.6.1996 respectively, on lease basis on nominal rent of Rs.300/- p.m. Accordingly, the petitioners are running their

respective units in the said sheds. The petitioners are running their units under self employment scheme and eking out their livelihood. In the year 2004, the petitioners submitted representations resulting in appointment of a Committee by respondent No.3 comprising of Assistant Zonal Manager, APIIC Limited, Executive Director, Ranga Reddy district Scheduled Castes Service Cooperative Society Limited and the General Manager, District Industries Centre. The Committee conducted a joint inspection on 14.9.2004 and submitted their report to respondent No.3 where under recommended for conversion of sheds pertaining to the petitioners from lease to hire purchase basis as per the rules in force. It is also stated in the affidavit that the sheds of some of the allottees i.e., shed bearing Nos. 1, 16 and 20 were already converted from lease to hire purchase basis and orders were passed during the years 1996 and 2003. In fact, in the case on hand, respondent No.3 also recommended for conversion of sheds allotted to the petitioners herein from lease to hire purchase scheme in Mini Industrial Estate. In spite of the same, no action has been taken.

4. Further, the petitioners have submitted a detailed representation to the Government on 13.11.2009 seeking necessary instructions to the concerned for allotment of sheds

on hire purchase basis as was done in the year 1996 and 2003 in respect of shed Nos. 1, 16 and 20, more particularly in the light of the minutes of the Joint Inspection Committee dated 14.9.2004 as well as the letter dated 30.3.2010 of the District Collector.

5. In the counter affidavit filed by respondent Nos. 2 and 3, it is stated that the issue for conversion of shed bearing Nos. 10, 11, 6 and 17 of the petitioners from lease to hire purchase basis as was done in respect of the other sheds, is pending before the Government for clarification and orders are awaited.

6. In view of the above, respondent Nos. 1 and 2 are directed to consider the representation dated 13.11.2009 in the light of the Minutes of the Joint Inspection Committee dated 14.9.2004 as well as the letter dated 30.3.2010 of the District Collector and pass appropriate orders as per law within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the above observation, Writ Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

P. KESHA VA RAO,J

Date: 29.10.2018

KPM