

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.34540 OF 2017

DATED :25.09.2018

Between :

Shaik Moulali, S/o.Shaik Adam,
Aged about 66 yrs, R/o.3-212,
Venkatagiri Konda, Beside Water Tank,
Ambedkar Statue Street, Bommuru,
Rajamahendravaram Rural, East Godavari District.

..

Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Department of Revenue,
A.P.Secretariat, Velagapudi,
Amaravathi, Guntur District & others.

..

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.34540 OF 2017

ORDER :

This writ petition is filed seeking the following relief :

“... declaring the action of the respondents more particularly respondent No.3 in not releasing the pension amounts from August, 2017 onwards to the petitioner is arbitrary, illegal, contrary to the Article 21 of the Constitution of India and contrary to the law laid down by this Hon'ble High Court in W.P.Nos.3460 and 3429 of 2010 and Batch and against the principles of natural justice and equity and consequently direct the respondents more particularly respondent No.3 to pay pension amounts forthwith including arrears without any delay to the petitioner and pass such other orders as may be deem fit and property in the circumstances of the case.”

2. Learned counsel for the petitioner submits that pension is now being paid every month regularly to the petitioner.

3. Since petitioner is getting pension as sought for and no amount is recovered from him as of now, there is no cause of action for this Court to grant a declaration as sought for by the petitioner.

4. Thus, leaving it open to the petitioner to work out his remedies as and when any adverse decision is made by the respondents, the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

25th September, 2018
Rds