

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.24802 of 2019

ORDER:

Heard learned counsel for the petitioner, and the learned Standing Counsel appearing for the 4th respondent.

It is the assertion of the petitioners that the proceedings of the 3rd respondent-Tahsildar dated 29.10.2019 identifying twenty (20) individuals as eligible for grant of 2 BHK houses at Chinakorukondi Village, Kalluru Mandal, Khammam District, is defective, as the said individuals who have been shown as Scheduled Caste (SC) are, in fact, Backward Caste (BC) Community individuals, as they profess Christianity; and further the identified beneficiaries are ineligible for grant of 2 BHK houses as they own agricultural land and properties. The petitioners assert that they submitted objections by way of letter dated 31.10.2019 (submitted in the Inward Section of Collector's Office on 06.11.2019), but the respondent authorities are proceeding with allotment of 2 BHK houses to the twenty ineligible persons, without considering the objections dated 31.10.2019.

Learned counsel for the respondents submits that as per G.O.Ms.No.12 dated 26.11.2015, amending G.O.Ms.No.10, dated 10.10.2015, grievances, if any, with respect to allotment of 2 BHK houses, are required to be submitted to the District Level Officer nominated by the District Collector, and as the petitioners have not done so, the petitioners does not deserve any consideration in this writ petition and the writ petition is liable to be dismissed.

The petitioners have produced Form I-B Certificates issued under the ROR Act, with respect to the identified beneficiaries in the list at Serial Nos.2, 3, 4, 16 and 19, evidencing that all of the said individuals own properties.

Having regard to the respective submissions, in the light of the material produced by the petitioners before this Court, *prima facie* case made out by the petitioners. However, as the petitioners submitted objections dated 31.10.2019 in the District Collector's Office rather than to the District Level Officer nominated by the District Collector, Khammam, subject to the petitioners submitting the objections dated 31.10.2019 to the District Level Officer nominated by the District Collector on or before 02.12.2019, and till such time the District Level Officer disposes of the said objections in accordance with law, no allotment shall be made and all further proceedings in pursuance of the impugned proceedings of the 4th respondent dated 29.10.2019 shall be kept in abeyance.

It is made clear that if the petitioners fail to submit the objections dated 31.10.2019 to the District Level Officer nominated by the District Collector on or before 02.12.2019, the respondent authorities shall be at liberty to proceed further.

With the above direction, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

29th November, 2019

CHALLA KODANDA RAM, J

Note: Issue C.C. today
B/o KSM

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KSM