

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.10140 of 2012

ORDER:

This Writ Petition is filed seeking Writ of Mandamus declaring the action of respondents in not providing employment to the family members of the original petitioner under Land Losers Scheme as per the policy of Government of India in pursuance of Government Memo, dated 07-07-1981 issued by the Commerce and Industries Department on the ground of limitation for making applications while including the names of similarly situated persons, who made representations subsequent to the petitioner, as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and sought consequential direction to declare that the petitioner's family members are entitled for employment in the 4th respondent-Heavy Water Plant, Manuguru, and also for compensation.

2. During pendency of this Writ Petition, the sole petitioner had expired and his legal representatives were brought on record as petitioner Nos.2 to 7 vide order dated 01-11-2017 in W.P.M.P.No.36436 of 2017.

3. Heard Sri Naresh Bheemapaka, learned counsel for the petitioners and the learned Government Pleader for Services-II appearing for the respondents.

4. The respondents have acquired Ac.10.00 gts during 1984 for establishing Heavy Water Plant at Manuguru. The Government of India had taken a policy decision vide Memo, dated 07-07-1981 providing proper employment to the land losers. The original petitioner submitted an application seeking employment to his family members i.e. petitioner Nos.2 to 7 and his case was also recommended by the 2nd respondent-Sub Collector to the 1st respondent-District Collector vide proceedings, dated 26-08-2015.

5. The grievance of the petitioners is that the 1st respondent-District Collector is not passing any orders on the said recommendations made by the Sub Collector. Therefore, learned counsel for the petitioners submits that appropriate orders be passed in the Writ Petition directing the 1st respondent-District Collector to pass appropriate orders on the recommendations made by the Sub Collector on 26-08-2015.

6. Learned Government Pleader for Revenue submits that the case of the petitioners would be considered and the 1st respondent-District Collector, who is the competent authority, shall pass appropriate orders to the proposal submitted by the 2nd respondent-Sub Collector.

7. This Court, having considered the rival submissions made by both the parties, is of the considered view that the Writ Petition can be disposed of directing the petitioners to submit a fresh

representation within two weeks from the date of receipt of a copy of this order in addition to the representation submitted by the deceased-1st petitioner and after receipt of said representation from the petitioners, the 1st respondent-District Collector shall consider the same and pass appropriate orders by duly taking into account the recommendations made by the 2nd respondent-Sub Collector vide proceedings, dated 26-08-2015, in another eight weeks thereafter.

8. With the above observations, the Writ Petition is disposed of. No order as to costs.

9. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 29-03-2019
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