

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 22349 OF 2023

Between:

Manchala Shiva Raj, S/o Narsimlu, aged about 32 years, Occ. Centering Worker, R/o H.No. 5-42/B, Chelivendram Palli, Chowdarygudem Mandal, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, SC Development Department, Secretariat, Hyderabad.
2. The Commissioner, Telangana Schedule Caste Development, Hyderabad, Hyderabad District.
3. The District Collector, Ranga Reddy, Ranga Reddy District.
4. The Executive Director, Schedule Caste Development, Ranga Reddy District, Ranga Reddy.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 and 4 in non considering the representation of the petitioner and non initiating to grant Dalita Bandu Scheme to the Petitioner basing on his application is illegal and arbitrary and violation of Articles 14, 15 and 21 of the Constitution of India and also violation of Principles of Natural Justice and consequently direct the Respondent No. 3 to grant the Dalita Bandhu scheme to the Petitioner without any recommendation of concerned MLA and by considering his application and by following the rules and regulations of Dalita Bandhu scheme.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 3 to grant the Dalita Bandhu scheme to the Petitioner without any recommendation of concerned MLA and by considering his application and by following the rules and regulations of Dalita Bandhu scheme, pending disposal of the writ petition.

Counsel for the Petitioner: SRI RAPOLU BHASKAR

Counsel for the Respondent No.1, 2 & 4: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.3: GP FOR REVENUE

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.22349 OF 2023

ORDER:

The petitioner approached this Court seeking the relief as under:

"To issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 and 4 in non considering the representation of the petitioner and non initiating to grant Dalita Bandhu Scheme to the Petitioner basing on his application is illegal and arbitrary and violation of Articles 14, 15 and 21 of the Constitution of India and also violation of Principles of Natural Justice and consequently direct the Respondent No.3 to grant the Dalita Bandhu scheme to the Petitioner without any recommendation of concerned MLA and by considering his application and by following the rules and regulations of Dalita Bandhu scheme and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case."

2. Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

3. Making the submission with regard to the merits of the matter, learned counsel for the petitioner states that the petitioner is a member of Scheduled Caste and is an unemployeed. The petitioner worked as a masonry and got the skill in maintaining of works to perform fitting of centering to lay the roof or concrete to construct a building. Due to non-availability

of required amount to start a business, he could not establish the business. Therefore, he applied to the Government for Grant-of-Aid under Dalita Bandu Scheme so that he can start his own business. However, his request was neither considered nor rejected and therefore, he is before this Court.

4. In reply to the said submission, learned Government Pleader for Revenue submits that the scheme i.e., Dalita Bandu is extended to all the eligible persons phase wise basing on the recommendations of the Committee constituted for the said purpose and hence, the petitioner's representation would soon be considered.

5. There is no denial of the fact that the petitioner made his representation for Grant-of-Aid under 'Dalita Bandu Scheme' on 11.11.2022. Thus, it is clear that the request of the petitioner for Grant-of-Aid is pending before the 3rd respondent i.e., The District Collector, Ranga Reddy, who is the competent authority, for more than one year. This Court is of the view that in the normal course, such delay cannot be expected. Also, when the Government intends to extend financial benefit to the deserved, it can be extended though phase-wise but within a fixed period. The Government cannot keep the representations or applications

pending for years together, that too, without any sufficient or reasonable excuse. Therefore, this Court considers desirable to direct the respondent No.3 to consider the representation of the petitioner time bound and to pass orders as provided under the Rules and Regulations framed there under.

6. Hence, the Writ Petition is disposed of with the following direction:-

Respondent No.3 i.e., The District Collector, Ranga Reddy District, is directed to consider the representation of the petitioner dated 11.11.2022 for extension of benefit under " Dalita Bandu Scheme" and release the Grant-in-Aid, in case, the petitioner is found eligible under the said scheme, within a period of eight (8) weeks from the date of receipt of a copy of this order. The decision taken shall be communicated to the petitioner in writing. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, SC Development Department, Secretariat, Hyderabad, State of Telangana.
2. The Commissioner, Telangana Schedule Caste Development, Hyderabad, Hyderabad District.
3. The District Collector, Ranga Reddy, Ranga Reddy District.

4. The Executive Director, Schedule Caste Development, Ranga Reddy District, Ranga Reddy.
5. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CCs to GP FOR SOCIAL WELFARE, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

BSR
GJP

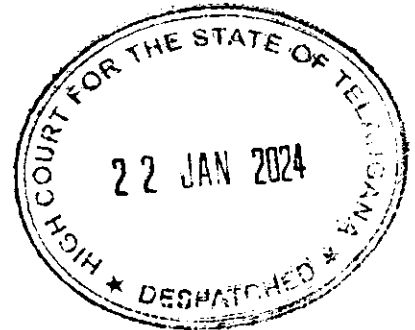


HIGH COURT

DATED: 29/12/2023

ORDER

WP.No.22349 of 2023



**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

①2 VWJ
22/1/24