

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH  
AT HYDERABAD**

(SPECIAL ORIGINAL JURISDICTION)

THURSDAY THE EIGHTEENTH DAY OF MARCH TWO THOUSAND AND  
FOUR

: PRESENT :

THE HON'BLE **MR. DEVINDER GUPTA, CHIEF JUSTICE**

AND

THE HON'BLE MS.JUSTICE: **G.ROHINI**

W.P. No.24086 of 2003

Between:

M.Victor Prasad.

Petitioner

AND

1. The Government of Andhra Pradesh, Social Welfare Department, Secretariat Buildings, Hyderabad, rep. by its Principal Secretary.
2. Andhra Pradesh Scheduled Castes Cooperative Finance Corporation Limited, Samkshem Bhavan, Masabtank, Hyderabad, rep. by its Vice Chairman & Managing Director.
3. The Union of India, Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi, rep. by its Secretary.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondents diverting the funds earmarked to provide financial assistance to take up the economic development of Scheduled Caste families in the State of Andhra Pradesh for the payment of the salaries and arrears to the engineering staff of the 2<sup>nd</sup> respondent as illegal, arbitrary, unjust and violative of principles of natural justice and violates the right to life guaranteed under Article 21 of the Constitution of India to the all poor, needy, helpless scheduled caste people in the state of Andhra Pradesh and consequently direct the respondents to utilize the funds allotted to the development programmes of scheduled castes people in the State of Andhra Pradesh only without resorting to diversion of funds meant for economical development after set asiding the letter No.LC1/510/APSC/2003, dated. 20-10-2003 of the 2<sup>nd</sup> respondent.

The Petition coming on for hearing upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr.B.Devanand, Advocate for the Petitioner and of G.P. for Social Welfare, on behalf of the Respondent No.1 and of Mr. M.V.S.Suresh Kumar, on behalf of the Respondent No.2 and of Mr. T.Suryakaran Reddy – S.C. for Central Govt. on behalf of the Respondent No.3.

The Court made the following **ORDER:**

**“ Despite affording sufficient opportunity Respondent No.3 has not filed counter-affidavit. As a last opportunity we will grant four weeks’ time to Respondent No.3 to file counter-affidavit failing which we will proceed with the matter in accordance with law.”**

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Principal Secretary, Social Welfare Department, Secretariat Buildings, Government of Andhra Pradesh, Hyderabad.
2. The Vice Chairman & Managing Director, Andhra Pradesh Scheduled Castes Cooperative Finance Corporation Limited, Samkshem Bhavan, Masabtank, Hyderabad.
3. The Secretary, Ministry of Social Justice and Empowerment, Union of India, Shastri Bhavan, New Delhi. (**By RPAD**)
4. Two CCs to G.P for Social Welfare, High Court of A.P.Hyd(OUT)
5. Two spare copies.

SAH