

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 1062 of 2005

Between:

Perumalla Savithri, D/o.Venkaiah, aged 32 years,
R/o.Seeta Puram Village, Thotapalli Post, Bhadrachalam Mandal,
Khammam District.

..... PETITIONER

AND

1. The Sub Collector Bhadrachalam, Khammam District.
2. Khammam Zilla Parishad Rep. by its Chief Executive Officer,

Khammam.

3. Zilla Parishad High School Tripurapentaveedu,
rep. by its Head Master Tripurapentaveedu Village,

Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ order or direction more particularly in the nature of writ of Mandamus directing the Memo bearing No.A 4/3320/2001 dt.19.7.2001 issued by the Respondent 2 is arbitrary, illegal and consequently direct the respondents herein to appoint the petitioner as attendar in the 3rd respondent school.

Counsel for the Petitioner: MR.SAI GANGADHAR CHAMARTY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

ORDER:

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Challenging the Memo bearing No. A4/3320/2001, dated 19.07.2001 issued by the second respondent, the present Writ Petition is filed.

Learned counsel for the petitioner contended that the petitioner donated 50 cents of land to the government for construction of Z.P. High School at Tripurapentaveedu village, but they have not given any appointment to the petitioner.

The request of the petitioner was considered and rejected by the impugned proceedings, dated 19.07.2001 where-under the second respondent-Chief Executive Officer passed an order informing the petitioner that there was no provision for providing the employment to the people who donate land. It is further stated that the Zilla Parishad Office has not made any promise to the candidate and the terms and conditions of the agreement if any entered in between the petitioner and Sub-Collector are not known to the Zilla Parishad Office. Therefore, the writ petitioner was given liberty to approach the Sub-Collector for relief or compensation, if any, due to her as agreed in the land donation agreement.

The impugned order does not suffer from any incurable legal infirmities so as to call

for the interference of this Court. As seen from the impugned proceedings, the Chief Executive Officer, Zilla Parishad has not entered into any agreement with the writ petitioner. As seen from the impugned proceedings, the agreement, if any, is entered between the writ petitioner and the Sub-Collector. The terms of the agreement are not known. No rule or regulation framed by the Chief Executive Officer was brought to the notice of this Court to show that when the land is donated, the owner of the land is entitled for any employment. So in the absence of any violation of legal rule or statutory right, the Writ Petition is devoid of any merit.

Accordingly, the Writ Petition is dismissed at the stage of admission. No costs.

K.C. BHANU, J

Dated:31.01.2005

Ccm

To:

1. The Sub Collector Bhadrachalam, Khammam District.
2. The Chief Executive Officer, Khammam Zilla Parishad
3. The Head Master,Zilla Parishad High School, Tripurapentaveedu,
Khammam District.
4. 2 CCs to G.P. for Panchayat Raj and Rural Development, High court
Buildings, Hyderabad (OUT)
5. 2 CD copies.