

HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.23262 of 2002

Dated this the 31st day of January, 2008

Between:

C. Gopal Reddy

and another

... Petitioners

AND

The Commercial Officer,

O/o. General Manager, Telecom Dist.,

Mahabubnagar District – 409 050

and 2 others

... Respondents

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ORDER:

This Writ Petition has been filed by the petitioners seeking a Writ of Mandamus to declare the action of the authorities permitting the third respondent to demolish the part of the cable maintenance room at Kothur Village and Mandal for installation of STD/PCO booth without following rules and procedure as contemplated for allotment of STD/PCO booths as was followed in the case of the petitioners, as arbitrary, illegal and violative of Article 14 of the Constitution of India.

2) The learned counsel for the petitioners contended that the first petitioner was allotted STD/PCO booth at Kothur area of Mahaboobnagar District as he is a physically handicapped and

unemployed. On 01.05.2001 the second petitioner was also allotted STD/PCO booth at the same area and the required deposit was also paid by the petitioners to the second respondent. The third respondent by influencing the subordinate staff of the respondent authorities made an application seeking transfer of STD/PCO booth allotted to her at Shadnagar to Kothur where the petitioners were allotted in accordance with the rules and guidelines framed by the authorities.

The authorities seem to have permitted the third respondent to install her STD/PCO booth at Kothur. The action of the concerned authorities is arbitrary and illegal since the same is being done without following the rules contemplated for allotment of STD/PCO booths.

3) The grievances of the petitioners are that their STD/PCO booths were situated at Kothur village on the road margin and the third respondent was also allotted another booth at the same village, which will cause prejudice to them.

4) The respondents 1 and 2 filed the counter affidavit asserting that the allotment of STD/PCO booth to the third respondent was made in accordance with the procedure prescribed under law.

5) Though the petitioners made a general plea that the authorities failed to follow the procedure prescribed under the rules, they did not specify as to what was the procedure required to be followed in allotting the STD/PCO booths and how they failed to follow the rules for allotment of STD/PCO booths. Though the petitioners are having STD/PCO booths granted by the concerned authorities, they cannot prevent the authorities from granting another STD/PCO booth or transferring the STD/PCO booth from one place to another place, if the situation warrants.

6) Since there is no mention in the writ petition as to what was the illegality or irregularity committed by the authorities, I do not find any ground to invoke the extraordinary jurisdiction of this Court for granting the writ of mandamus against any of the respondents.

7. Accordingly, the Writ Petition is dismissed. No order as to costs.

Dr.G. YETHIRAJULU, J

Date: 31.01.2008

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