APHC010058062025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3333]**
(Special Original Jurisdiction)

WEDNESDAY,THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 3021 OF 2025

Between:

1. SMT. Y MADHAVILATHA,, W/O Y RAMA KRISHNA REDDY, AGED ABOUT 41 YEARS, OCC. ANGANWADI TEACHER, ANGANWADI CENTRE, VP SOUTH, RJO QUARTER NO. AE-17, VIJAYAPURI SOUTH, NAGARJUNASAGAR CAMP COLONY, MACHERLA, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, IRRIGATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, ANDHRA PRADESH.
2. THE CHIEF ENGINEER, NAGARJUNASAGARJAWAHAR CANAL (NSJC), IRRIGATION DEPARTMENT, GUNTUR, GUNTUR DISTRICT.
3. THE EXECUTIVE ENGINEER, NSJC O AND M DIVISION, IRRIGATION DEPARTMENT, MACHERLA, PALNADU DISTRICT.
4. THE SUPERINTENDENT ENGINEER, NSJC, IRRIGATION DEPARTMENT, LINGAMGUNTIA, NARASARAOPET, GUNTUR DISTRICT.
5. THE ASSISTANT EXECUTIVE ENGINEER, C AND B DIVISION, VIJAYAPURI SOUTH, NAGARJUNASAGAR, MACHERLA MANDAL, GUNTUR DISTRICT.
6. THE JUNIOR ENGINEER, IRRIGATION DEPARTMENT, NAGARJUNASAGAR, VIJAYAPURI SOUTH, MACHERLA MANDAL,

GUNTUR DISTRICT.

7. THE SECTION OFFICER, C AND B SECTION, VIJAYAPURI SOUTH, NAGARJUNASAGAR, GUNTUR DISTRICT.

8. SHRI Y KESHAVA REDDY, S/O CHINNAVEERA REDDY, AGED ABOUT 52 YEARS, OCC. BUSINESS, R/O FLAT NO. 211, 8TH WARD, HEMASRI PRIDE APARTMENT, KIDS SCHOOL OPPOSITE, MACHERLE VILLAGE AND MANDAL, PALNADU DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. INAKOLLU VENKATESWARLU

Counsel for the Respondent(S):

1. GP FOR IRRIGATION COMM AREA DEV

2. KOTHA LEELA GANESH RAGHAVENDRA

The Court made the following:

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 3021 OF 2025

ORDER:-

The present Writ Petition is filed questioning the action of the Respondent No.3 in cancelling the allotment of Government Quarter No. AE-17 in Vijayapuri South, NSP Camp Colony by issuing Office Order No. AB/EC.2/ Quarters/ 35M, dated 22.01.2025 as illegal and arbitrary.

2. The Petitioner is presently working as Anganwadi Teacher, Anganwadi Centre, Vijayapuri (VP) South under Macherla ICDS Project, Department of Women Development and Child Welfare. As there is no proper residential accommodation as well as a suitable place to run the Anganwadi Centre, the Petitioner made a representation dated 17.07.2008 for allotment of quarter at Vijayapuri (VP) South, Nagarjuna Sagar Project (NSP) Camp Colony. Considering the said representation, the Respondent No.2, the then Chief Engineer, NSP vide Office Order No. CE/ NSP/E.IV(2)/4488/2008-1, dated 31.07.2008 allotted Quarter No. AE-17 at VP South, NSP Camp Colony to the Petitioner on payment of house rent of Rs. 969/- at 10% or 7.5% of her pay and Water Charges of Rs. 60/- and Fan Charges of Rs. 5/- per month.

3. The grievance of the Petitioner is that she has been in possession of the quarter since 01.08.2008 by paying requisite monthly rentals, but inspite of the same, the Respondent No.3 issued impugned order, dated 22.01.2025 cancelling the allotment of quarter No.AE-17 to the Petitioner and re-allotted the same to unofficial Respondent No.8, without issuing any Show-Cause

Notice or calling for an explanation from the Petitioner and without adhering the principles of natural justice. Challenging the same, the present Writ Petition came to be filed.

4. Heard learned counsel for the Petitioner and learned Assistant Government Pleader for Irrigation for the Respondents 1 to 7. None represented on behalf of the Respondent No.8, though entered appearance on behalf his behalf.

5. When the Writ Petition came up for admission on 04.02.2025, this Court passed an interim order, suspending the impugned proceedings, subject to condition that the Petitioner shall remit arrears of monthly rentals, if any pending within four weeks from the date of passing the order.

6. The Respondent No.3 has filed Counter-Affidavit duly admitting the fact as stated by the Petitioner. But, however, it is stated that based on usual terms and conditions of allotment of quarter, vide office order, dated 22.01.2025 was issued to the Petitioner in accordance with rules in force, as there is a overdue of Rs.1,17,648/- from the Petitioner. It is further stated that the allotment of Government Quarter is entitled for residential purposes, but not any other purpose like running Anganwadi Centre as in the present case. It is also stated that though the Respondents has sent rent payment reminders from the office, there was no response from the Petitioner till now and as such there is overdue of Rs.1,17,648/- up to January, 2025.

7. Learned counsel for the Petitioner has also filed a Memo dated 23.12.2025 duly enclosing the rental receipts paid by the Petitioner i.e after obtaining interim order from this Court. Learned counsel also filed a Memo dated 20.02.2025 duly enclosing the receipt dated 07.02.2025 to prove that she has already paid Rs. 1,18,834/-. In view of the fact that as on the date of passing of the impugned order, admittedly there was arrears of rent payable by the Petitioner. Because of which, the impugned orders were passed.

8. On perusal of the records, it can be observed that admittedly no Show-Cause Notice was issued to the Petitioner calling for an explanation before passing the cancellation order, which is impugned in the present Writ Petition. Considering the fact that pending the Writ Petition, this Court feels that it is appropriate to dispose of the Writ Petition without touching the merits of the case, directing the Petitioner to submit an explanation to the impugned proceedings dated 22.01.2025 duly treating it as a Show-Cause Notice by enclosing all receipts to prove that the Petitioner has been paying rentals every month without any default, since the date of her allotment within a period of two (02) weeks from the date of receipt of a copy of this order; on receiving the same, the Respondent No.3 shall consider the same and pass appropriate orders in accordance with law within a period of four (04) weeks thereafter. Till such time, no coercive steps shall be initiated as against the Petitioner.

9. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE V.SUJATHA, J

Date: 31.12.2025

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