

Ms S Latha vs the Principal General Manager

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Court : Karnataka Orders

Decided On : Nov-29-2024

Judge : Suraj Govindaraj

Appeal No. : WP/7577/2021

Appellant : Ms S Latha

Respondent : The Principal General Manager

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF NOVEMBER, 2024 BEFORE THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ WRIT PETITION NO. 7577 OF 2021 (GM-PP) BETWEEN: MS. S LATHA D/O LATE SHRI E S RAJAN, AGE ABOUT 57 YEARS, OFFICE SUPERINTENDENT, H R NO 198213407, C- 1, TELECOM STAFF QUARTERS, 19TH MAIN, 6TH BLOCK, KORAMANGALA, BANGALORE - 560 095. PETITIONER (BY SRI. PRITHVEESH M K., ADVOCATE) AND: Digitally signed by SHWETHA RAGHAVENDRA 1. THE PRINCIPAL GENERAL MANAGER, Location: HIGH BHARAT SANCHAR NIGAM LIMITED,

COURT OF KARNATAKA BENGALURU TELECOM DISTRICT,

2. THE SENIOR GENERAL MANAGER (FINANCE), -2-

3. THE GENERAL MANAGER (HR/ADMN),

4. THE DEPUTY GENERAL MANAGER (HR/ADMN), RESPONDENTS
(BY SRI. N. AMARESH., ADVOCATE FOR R1 TO R4) THIS W.P IS
FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF
INDIA PRAYING TO QUASH THE NOTICE DATED 26.03.2021 ISSUED
BY THE 4TH RESPONDENT BEARING NO. VIDE ANNEXURE-C AND
ETC., THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court, seeking for the following reliefs: "A. Issue a Writ of Certiorari quashing the Notice dated 26.03.2021 issued by the 4th Respondent bearing No. S-III/47/SQ/SL/WKG/2020-21/01 vide Annexure C. B. Issue a Writ of Mandamus/Direction to the Respondent No. 4 to permit the Petitioner to stay in the quarters. -3- C. Issue direction to the Respondent being the salary disbursing officer to disburse the rental component from April 2018 of the salary regularly. D. Direct the Respondent to pay all arrears of salary with interest at 12% per annum to the Petitioner without any delay. E. Pass such other orders as this Hon'ble Court may deem fit to grant in the interest of justice and equity.

2. The cause for the petitioner to approach this Court

was the notice issued by respondent No.4, calling upon the petitioner to vacate the Official Residential Quarters provided to the petitioner by Bharat Sanchar Nigam Limited (BSNL). During the pendency of the above matter, the departmental inquiry has been concluded, resulting in a penalty. Subsequently the petitioner has

also superannuated on 31.03.2024.

3. The submission of the learned counsel for the

petitioner is that the petitioner is entitled to restrain the quarters in terms of the applicable rules. The grievance now of the petitioner is that the application which has been submitted in that regard has not been processed by the respondents. -4-

4. The submission of learned counsel for the respondents is that the petitioner has not made payment of the due rentals and charges during the unauthorized occupation.

5. Learned counsel for the petitioner undertakes to

make payment of all the dues within one week from now i.e., on or before 07.12.2024, failure in the above would result in automatic rejection of the application filed by the petitioner.

6. The respondents are directed to consider the said

application and pass necessary orders within 15 days from today. Until orders are passed, the respondents are restrained from dispossessing the petitioner from the premises. Sd/- (SURAJ GOVINDARAJ) JUDGE AMA/List No.: 1 SI No.: 5

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