
(2001) 01 AP CK 0042

In the Andhra Pradesh High Court

Case No : Writ Petition No. 660 of 2001

Moosala Ramarao and another

APPELLANT

Vs

District Collector, Srikakulam and others

RESPONDENT

Date of Decision : 20-01-2001

Acts Referred:

Motor Vehicles Act, 1988 — Section 163(1)

Citation : (2002) ACJ 1085 : (2001) 2 ALD 1 : (2001) 1 ALT 656

Hon'ble Judges : B. Sudershan Reddy, J

Bench : Single Bench

Advocate : Mr. Jayanti S.C. Sekhar, for the Appellant; Government Pleader for Revenue, for the Respondent

Judgement

B. Sudershan Reddy, J.—Heard the learned Counsel for the petitioners and the learned Government Pleader for Revenue appearing on behalf of the respondents and at their request the matter is taken up for final disposal at the admission stage.

2. It is stated that the petitioners' father late Thavudu S/o. Asiri Naidu died on 5-10-1995 due to hit by unknown motor vehicle at Laveru (Mandal) near Rambhadrapuram National High Way No.5 at. about 18-45 hours. The petitioners submitted an application on 15-10-1996 before the District Collector, Srikakulam claiming compensation under the Solatium Scheme 1989, framed by the Central Government in purported exercise of power under sub-section (1) of Section 163 of the Motor Vehicle Act, 1988. The office of the Collector immediately addressed a letter to the Mandal Revenue Officer, Laveru on 17-10-1996 stating that Forms I, II and V and copies of FIR, inquest and post mortem reports were received and directing to send the proposals to the Revenue Divisional Officer, Srikakulam for sanction of compensation under the Solatium Fund Scheme.

3. The petitioners, having waited for some time, submitted another representation on 3-3-1997 to the District Collector, Srikakulam to sanction the compensation as early as possible. The same was once again transmitted by the

office of the District Collector to the Revenue Divisional Officer, Srikakulam and the Mandal Revenue Officer, Laveru.

4. The petitioners appears to have made repeated representations but there is no need to refer to all of them in this order. The fact remains that the petitioners' application dated 15-10-1996 claiming compensation under the Solatium Fund Scheme remains to be under consideration of the respondents for a period of more than four years. In my considered opinion, there is absolutely no justification whatsoever on the part of the respondents in keeping the application pending without taking an appropriate decision thereon in the matter.

5. Having regard to the facts and circumstances of the case, the respondents are directed to consider and decide the application of the petitioners under the Solatium Scheme, 1989 and take an appropriate decision thereon in accordance with law, within a period of three months from the date of receipt of a copy of this order. There shall be an order accordingly.

6. The writ petition is accordingly disposed of. No order as to costs.