



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

[3460]

THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 4680/2024

Between:

1. KARASALA VIJAYA KUMARI, D/O K.RAJU, AGED ABOUT 28 YEARS, R/O D.NO.6-65, AMARAVATI VILLAGE AND MANDAL, PALNADU DISTRICT.

...PETITIONER

AND

1. STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, SOCIAL WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE COLLECTOR AND DISTRICT MAGISTRATE, PALNADU DISTRICT AT NARASARAOPET.
3. THE REVENUE DIVISIONAL OFFICER, SATTENAPALLI, PALNADU DISTRICT.
4. THE TAHASILDAR, AMARAVATI MANDAL, AMARAVATI, PALNADU DISTRICT.
5. THE SUBTREASURY OFFICER, PEDAKURAPADU MANDAL, PEDAKURAPADU, PALNADU DISTRICT.

6.THE COLLECTOR AND DISTRICT MAGISTRATE,
GUNTUR DISTRICT AT GUNTUR.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ or any other order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 5 in not granting the relief amount payable at Sl.No.21 of the Annexure-I of G.O.Ms.No.76 dated 28.11.2014 and further in not paying the monthly pension @ Rs.5000/- w.e.f. 22.5.2015 to the petitioner as directed by the 2nd respondent-District Collector vide order Rc.No.REVGNT-CSEC0MIS(MISC)/160/2019-JA(C3)-COLGNT,in dated 29.10.2020, which is payable to the petitioner under the scheme for relief and rehabilitation of scheduled castes and scheduled tribes as per above GO as illegal and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 2 to 5 to ensure that the monthly pension is credited to the petitioners bank account, payable w.e.f. 22.5.2015 @ Rs.5000/- per month within a time bound programme and continue to pay the monthly pension henceforth and pass such

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents 3 to 5 to pay monthly pension to the petitioner henceforth @ Rs.5,000/- to the petitioner the orders Rc.No.REVGNT-as per in CSEC0M1S(MISC)/160/2019-JA(C3)-COLGNT, dated 29.10.2020 of the 2nd respondent District Collector, pending disposal of the writ petition, and to pass such

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to grant leave to the petitioner herein/Respondent No.2 in the Writ Petition No. 4680 of 2024 to file counter affidavit in the above Wr Petition and pass

Counsel for the Petitioner:

1.KOCHIRI RAJA SHEKAR

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR SOCIAL WELFARE

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY**W.P.No.4680 of 2024****O R D E R:**

This writ petition is filed questioning the action of Respondents in not paying the amount payable to the Petitioner at Sl.No.21 of Annexure-I of G.O.Ms.No.76, Social Welfare (CV.POA) Department, dated 28.11.2014 as illegal and arbitrary.

2. Petitioner was resident of Amaravati Village and Mandal, Palnadu District and belongs to Scheduled Caste community. While pursuing Engineering in Malineni Laskhmaiah Engineering College, Pulladigunta Village, the Petitioner was subjected to a crime by a member of non-scheduled caste community/victim for the offences under Sections 376, 354-D, 313 r/w 511, 307, 324 IPC and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and F.I.R.No.194 of 2015 was registered in Lalapet Police Station.

3. After due trial, the Special Judge for trial of cases under Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989-cum-IV Additional District and Sessions Judge, Guntur by order dated 01.07.2019 had convicted the accused in S.C.No.80 of 2016 for the offences under Sections 417,354-A,

354-D, 324 IPC and Section 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act. Vide G.O.Ms.No.76, dated 28.11.2014, the State Government had fixe certain compensation for victims of offences specified thereof. In terms thereof, the Petitioner was paid compensation of Rs.1,80,000/-. While so, the 2nd Respondent vide order dated 29.10.2020 directed the authorities to pay pension at the rate of Rs.5,000/- per month to the Petitioner. As the amount was not being paid, the present writ petition is filed.

4. In the counter affidavit filed by the Respondents, it was contended that the Petitioner is not entitled for the monthly pension of Rs.5,000/-. It is also stated that the Petitioner was paid compensation of Rs.1,80,000/- as provided in Sl.No.17 to Annexure I of G.O.Ms.No.78, dated 28.11.2014 and the monthly compensation was cancelled vide order dated 23.10.2025 as the Petitioner is not entitled for the said amounts. It is also stated that the Petitioner is married and is having children and is employed in a private company getting monthly income of Rs.20,000/-.

5. Heard Sri Kochiri Raja Shekar, learned counsel for the Petitioner and learned Government Pleader for Social Welfare.

6. The Petitioner was paid compensation as per Sl.No.17 of G.O.Ms.No.76, dated 28.11.2014 and the same reads as under.

Annexure to G.O.Ms.No.78, Social Welfare (CV.POA) Department, dated 28.11.2013.

Sl.No.	Name of the Office	Minimum amount of Relief
17.	Committing offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more (Section 3(2)(v)	At least Rs.1,80,000/- depending upon the nature and gravity of the offence to each victim and or his dependents. The amount shall vary if specifically otherwise provided in the Schedule.

7. The claim of the Petitioner is under Sl.No.21 of the very same G.O.Ms.No.76, dated 28.11.2014 and the same reads as under:

Sl.No.	Name of the Office	Minimum amount of Relief
21.	Victim of murder, death massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity	In additional to relief amount paid under the above items, relief may be arranged within three months of date of atrocity as follows: (i) Pension to each widow and / or other dependents of deceased SC and ST @ Rs.4,500/- per month, or employment to one member of the family of the

		deceased, or provision of agricultural land, an house, if necessary by outright purchase. (ii) Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram Schools / Residential Schools. (iii) Provisions of utensils, rice, wheat, dals, pulses etc., for a period of three months.
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8. Sl.No.21 provides for compensation to the widows, education and maintenance of children of victims of murder, death massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity. Contextually, the clause applies to the persons who died on account of heinous offences referred in Sl.No.21 and compensation is paid to the widow and dependants. In this case, the Petitioner does not come under Sl.No.21 and therefore, refusal to pay compensation @ Rs.5,000/- per month could not be interfered.

9. The second aspect is that the accused was not found guilty of offence under Section 376 IPC and in the absence of any conviction under Section 376 IPC, the claim of the Petitioner under Sl.No.21 cannot be sustained.

10. This Court does not find any merit in the writ petition and the same is accordingly dismissed. No order as to costs.

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

NYAPATHY VIJAY, J

Date: 10.02.2026
KLP