

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THURSDAY THE TWELVETH DAY OF NOVEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 20100 OF 2011

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Between:

M. Sreenath & Anr. ... Petitioner

Vs.

The T.S. Southern Power Distribution Company Ltd.

Hyderabad, Rep. by its Chairman &

Managing Director & Anr. ... Respondents

Counsel for the Petitioner: Sri N.M.Krishnaiah

Counsel for the Respondents: Sri P.Lakshma Reddy

Sri P. Vinod Reddy

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 20100 OF 2011

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ORDER:

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This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“To declare the action of the respondents in not considering the case of the petitioners for appointment as contract Junior Lineman along with other similarly placed contract labour and further action of the respondents in not considering the request of the petitioner for conducting pole climbing test after recovery from ill-health, as highly illegal, arbitrary and consequently to direct the respondents to consider the case of the petitioner for appointment as ‘contract Junior Lineman’ in the respondent organization on preference to others or absorb them in the respondent organization as per the settlement

dated 18/12/2010 and 25/06/2011 in the existing vacancies or in future vacancies with all other attendant benefits and to pass such other relief or reliefs as this court may deems fit and proper in the circumstances of the case.”

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2. Heard Sri N.M. Krishnaiah, learned counsel for the petitioner and Sri R. Vinod Reddy, learned standing counsel for the respondents.

3. A counter-affidavit is filed by the Superintending Engineer, Operation Circle, Nalgonda.

4. According to the said counter-affidavit, the petitioners herein did not attend the pole climbing test and abstained on the pretext of ill-health and the pole climbing test is an important part of criteria for 'Contract Junior Lineman'. It is also stated in the counter-affidavit that the respondent-organization advised the petitioners herein to appear in the ensuing recruitments which will be notified in future and preference will be given to the experienced candidates like the petitioners herein.

5. While referring to the same, it is requested by the learned counsel for the petitioners that in view of the said assurance given in the counter-affidavit, this writ petition can be disposed of in terms thereof.

6. In view of the above, this writ petition stands disposed of in view of the averment made in the counter-affidavit that the respondent-organization advised the petitioners herein to appear in the ensuing recruitment notification which will be notified in future and preference will be given to the experienced

candidates like the petitioner. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

12/11/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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Date: 12/11/2015

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Court Master: I s L