

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos. 24857 & 24906 of 2000

COMMON ORDER:

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Heard learned counsels for the petitioners and learned counsel for the respondents.

Since the issue involved in these two Writ Petitions is one and the same, they are disposed of by this common order.

These Writ Petitions came to be filed seeking a Writ of Mandamus declaring the proceedings No.E2-A/766/2000, dated 16.11.2000 and 29.11.2000, issued by the Project Officer, Integrated Tribal Development Agency (for short, 'I.T.D.A.'), Eturunagaram, Warangal District, as illegal and arbitrary and consequently allow the petitioners to continue as Girija Vidya Vikasa Kendra (for short, 'G.V.V.K.') Teachers/Single Teachers with all consequential benefits.

The averments in the Writ Petitions are as under:

In pursuance of the notification dated 28.04.1998, issued by the Project Officer, I.T.D.A., Eturunagaram, Warangal District, inviting applications for the post of Teachers in G.V.V.K. in 113 villages, the petitioners along with others applied and appeared for written test. Subsequently, they were selected and appointed as G.V.V.K.Teachers/Single Teachers, by various proceedings, and since then they have been working as teachers without any adverse remarks. While things stood thus, the Project Officer issued a memo calling for explanation of the petitioners and also to submit records/documents of evidence, if any, against their

recruitment as teachers. In pursuance of the same, the petitioners submitted their explanations. Ultimately, the Project Officer, I.T.D.A., Eturunagaram, Warangal District, issued the impugned proceedings dated 16.11.2000 and 29.11.2000, terminating the services of the petitioners. Questioning the same, the petitioners filed the present Writ Petitions.

While admitting the Writ Petitions, this Court granted interim suspension of the impugned proceedings vide order dated 15.12.2000.

Learned counsel for the petitioners submits that even before submission of the explanations by the petitioners to the show cause notice issued to them, the enquiry officer submitted his report, on the basis of which the impugned proceedings were passed and hence, the impugned proceedings are void and opposed to the principles of natural justice. On the other hand, learned Standing Counsel for School Education submits that these appointments are made in violation of procedural norms by the Project Officer and as such, the impugned proceedings terminating the services of the petitioners cannot be found fault with.

It is to be noted that a batch of Writ Petitions came to be filed before this Court challenging the very same proceedings. The grounds which are taken by the Writ Petitioners in the present two Writ Petitions were also raised in the said batch of Writ Petitions. Similarly, the plea taken by the learned Standing Counsel in these Writ Petitions was also taken in the counters filed in those batch cases. In fact identical counters were filed in all the cases. Accepting the arguments of the learned counsel for the petitioners, this Court, by its order dated 02.12.2010,

allowed the batch of Writ Petition i.e., W.P.Nos.22992, 23246, 23247, 23384 and 23561 of 2000. The said order of this Court passed in the above mentioned Writ Petition has become final as the same was not challenged by way of Writ Appeal.

In view of the orders passed by this Court in the aforementioned batch of Writ Petitions and as the petitioners herein stand on the same footing as that of the petitioners therein, which fact is not disputed by the learned Standing Counsel, the present Writ Petitions are also allowed by setting aside the impugned proceedings. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

23.07.2015
vhb