

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

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**WRIT PETITION No.22882 of 2015**

Between:

B.A.Narasimhulu

... Petitioner/Appellant (s)

and

The Project Director, District Water Management  
Board, Anantapur, Anantapur Dist. and 3 othres.

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... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 04.08.2015

**SUBMITTED FOR APPROVAL:**

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

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|----------|---------------------------------------------------------------------------------------|---------------|
| <u>1</u> | <u>Whether Reporters of Local newspapers<br/>may be allowed to see the Judgments?</u> | <u>Yes/No</u> |
| -        |                                                                                       |               |
| <u>2</u> | <u>Whether the copies of judgment may be<br/>marked to Law Reports/Journals</u>       | <u>Yes/No</u> |
| -        |                                                                                       |               |
| <u>3</u> | <u>Whether Their Ladyship/Lordship wish to<br/>see the fair copy of the Judgment?</u> | <u>Yes/No</u> |

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**HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.22882 OF 2015**

**ORDER :**

This petition is filed for a writ of *Mandamus* calling for the relevant records and for a direction to the respondents to continue the petitioner in service by revoking the temporary out of contract

(TOC) order imposed against the petitioner as is evident from the endorsement bearing Rc.No.07/H.R/Prajavani/14, dated 07.09.2014.

The case of the petitioner is that he was appointed as Field Assistant in Roddam Mandal of Anantapur District on 01.04.2006 and has been discharging his duties with utmost devotion and dedication; and that petitioner was also issued commendation letter dated 15.08.2014 as a token of good work and best services rendered by him. While so, inspite of unblemished services rendered by the petitioner for the last nine years, the 1<sup>st</sup> respondent asked the petitioner to stop discharging duties stating that he was temporary out of contract (TOC), on 07.09.2014. The 1<sup>st</sup> respondent has not chosen to issue any notice or point out any mistake committed by the petitioner. Immediately, the petitioner approached the District Collector, Anantapur, stating that he has been discharging his duties with utmost devotion and without any complaint and requested the District Collector to revoke the temporary out of contract (TOC) which was imposed against him unilaterally as a measure of punishment by the respondents. In the endorsement dated 07.09.2014 except extracting the job chart which was given to the petitioner at the time of his appointment, no allegations or accusations against the petitioner were pointed out by the respondents. Petitioner made a representation before the 2<sup>nd</sup> respondent on 15.09.2014 by way of appeal/representation, but no orders are passed on the same. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Learned sanding Counsel appearing for the 3<sup>rd</sup> respondent

on instructions submits that if the petitioner submits his explanation into the allegations, they will consider the same on merits.

It is to be seen that the endorsement dated 07.09.2014 does not contain allegations against the petitioner except enumerating the functions of the Field Assistant and that the petitioner is not discharging the said functions. Any how since the petitioner has submitted a representation to the District Collector on 15.09.2014, the respondents should have considered the same and pass orders, instead of keeping the same pending.

In view of the above facts and circumstances, the 2<sup>nd</sup> respondent is directed to consider the representation dated 15.09.2014 submitted by the petitioner, within a period of four weeks from the date of receipt of a copy of this order and thereafter take appropriate action in accordance with law.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous applications, if any pending in the writ petition, shall stand closed.

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**A.RAJASHEKER REDDY, J**

04.08.2015  
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