

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.37047 of 2015

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DATED : 16.11.2015

Between :

G. Chandrayya S/o.G. Jogaiah,
Aged about 54 yrs, Occu : Lecturer in Commerce,
Government College (A), Rajahmundry,
R/o.Sri Sannidhi Homes, B-1,
A.B. Appa Rao Road, Near Mahalakshmi Temple,
Rajahmundry, East Godavari District,
Andhra Pradesh.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Higher Education, Department of Human Resources,
Secretariat Buildings, Hyderabad & 4 others.

.. Respondents

This court made the following :

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ORDER :

This writ petition is filed to direct the respondent authorities to consider the representation dated 11.05.2015 of the petitioner to reckon the service rendered by him as part time lecturer from the date of appointment as part time lecturer for the purpose of seniority and retirement benefit and consequently direct the respondents to consider the representation of the petitioner as per the orders of the Hon'ble Andhra Pradesh Administrative Tribunal (for short 'the APAT') in O.A.Nos.7071/2006, 1992/2008, 128/2007, 7492/2006, 7032/2006 and 7605/2006 dated 05.12.2014.

2. The petitioner is a lecturer in Government Service. The grievance agitated in the writ petition is reckoning of his services as part-time lecturer in the Government service. APAT is vested with jurisdiction to adjudicate service disputes relating to Government employees. APAT is constituted under the Administrative Tribunal Act, 1985 (for short 'the Act'). The relief sought in the writ petition relates to enforcement of the orders passed by the APAT, in several O.As., filed by similarly situated persons. The remedy available to the petitioner under the Act is an effective and efficacious remedy, and as held by the Hon'ble Supreme Court in ***L.Chandra Kumar Vs Union of India***, the Tribunal is the Court of first instance in matters concerning service disputes. No explanation is forthcoming in the affidavit filed in support of the writ petition, as to why the petitioner has directly invoked the jurisdiction of this Court without availing the remedy before the Administrative Tribunal.

3. Having regard to the same, the writ petition is not maintainable and is liable to be dismissed. Accordingly, the writ petition is dismissed leaving it open to the petitioner to avail appropriate remedy as available in law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

_____**P.NAVEEN RAO,J**

16th November, 2015

Rds

