

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.38490 of 2015

Dated : 04.12.2015

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Between:

Smt. Gaini Sharadha,
W/o.Late Bhaskar, aged about 37 yrs,
Occu : Housewife,
R/o.H.No.11-1-979/2,
New NGOs Colony,
Near Geethanjali School,
Nizamabad, Telangana. & 2 others.

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Agriculture Department,
Secretariat, Hyderabad & 2 others.

.. Respondents

This Court made the following :

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ORDER :

Late Bhaskar worked as a Senior Assistant in the office of the Assistant Director of Agriculture, Armoor, Nizamabad District. Petitioners, claim to be the dependants of late Bhaskar, are aggrieved by not granting the service benefits that accrued to late Bhaskar, for the service rendered by him till his death on 19.07.2014.

2. The said grievance of the petitioners arises out of service rendered by late Bhaskar in the service of State Government and is thus a service matter. The jurisdiction to adjudicate all service disputes concerning the State Government employees or their dependants vests in Andhra Pradesh Administrative Tribunal (for short 'the APAT') constituted under the Administrative Tribunal Act, 1985 (for short 'the Act').

3. As held by the Hon'ble Supreme Court, in ***L. Chandra Kumar Vs Union of India*** the APAT is the Court of first instance with reference to adjudication of service disputes concerning the State Government employees. Thus, the APAT is an effective and efficacious alternative forum. The petitioners without availing the remedy as available under the Act, for redressal of their grievance, cannot directly invoke the jurisdiction of this Court under Article 226 of the Constitution of India. Hence, the writ petition is not maintainable.

4. Having regard to the same, the Writ Petition is dismissed leaving it open to the petitioners to avail the remedy as available under the Administrative Tribunal Act, 1985. There shall be no order as to costs.

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

_____**P.NAVEEN RAO,J**

04th December, 2015

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