

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.6831 of 2003

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in not fixing the seniority of the petitioner from the date of initial appointment and in not regularizing her services in existing vacancies of Record Assistant, as illegal and arbitrary, and consequently to direct the respondents to regularize the services of the petitioner in the existing post with all consequential benefits.

2. Heard Sri E. Kalyan Ram, learned Counsel for the petitioner and the learned Government Pleader for Higher Education.

3. It is the case of the petitioner that she was appointed as accountant-cum-typist in the 4th respondent- college on 28.3.1985 on consolidated wages. The grievance of the petitioner is that though she has been continuing her services from the year 1985, the respondents are not considering her case for regularization of her services, and that aided vacancy in the cadre of record assistant arose during the year 1999, but the respondents are not considering her case for absorption into aided services.

4. The learned Counsel for the petitioner contended that appropriate orders may be passed in the writ petition directing the respondents to regularize the services of the petitioner in the aided vacancy.

5. The learned Government Pleader for Higher Education contended that the petitioner attained superannuation and she is not working with the 4th respondent and therefore, the question of regularization would not arise, and the writ petition is liable to be dismissed.

6. Having considered the submissions made by the parties, this Court is of the view that this writ petition can be disposed of directing the respondents to consider the case of the petitioner for regularization in the aided vacancy.

7. Accordingly, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner for regularizing her services in aided vacancy, when the aided vacancy arose, in accordance with rules and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated: 22nd November, 2018
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HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No. 6831 of 2003
(disposed of)

22nd November, 2018

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