

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

WRIT PETITION NO.21574 OF 2008

Between:

M. Bhaskara Rao

.. Petitioner

and

The District Co-operative Officer,
Krishna District at Machilipatnam and another

.. Respondents

DATE OF JUDGMENT PRONOUNCEMENT
2015

: 27th JULY,

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

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| 1. | Whether Reporters of Local newspapers
may be allowed to see the judgment? | Yes/No |
| 2. | Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |

3. Whether Their Lordship wish to see the fair copy of the judgment? Yes/No

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.21574 OF 2008

ORDER

This writ petition was filed assailing the action of the respondents in not considering the petitioner for appointment to the post of Secretary, PACS, Penumakalanka, Mandavalli Mandal, Krishna District.

By order dated 30.09.2008, this Court directed the respondents to consider the case of the petitioner for such appointment as per law.

W.V.M.P.No.3620 of 2008 was filed by the Penumakalanka PACS, Mandavalli Mandal, Krishna District, to vacate the above order.

When the matter came up for hearing on 16.07.2015, Ms. Devineni Radha Rani, learned counsel, stated that she had been informed that her client expired and sought time to verify. Today, an adjournment was sought on behalf of the learned counsel on the ground of ill-health. However, Sri P.V.Srinivasa Rao, learned counsel appearing for the vacate stay petitioner, stated that the petitioner did, in fact, expire. He further stated that the cause in this writ petition does not survive in the light of the aforestated fact.

As regards the implementation of the interim order, Sri P.V.Srinivasa Rao, learned counsel, stated that even before passing of the said order the PACS, Penumakalanka, Mandavalli Mandal, Krishna District, had appointed another person to the post of Secretary.

In the light of the aforestated facts, this Court is of the opinion that

the writ petition abated upon the death of the petitioner as the cause of action which was personal to him would not survive upon his death.

Pending miscellaneous petitions shall stand dismissed. No order as to costs.

SANJAY KUMAR, J

27th JULY, 2015
PGS