

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.31843 of 2010

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DATE: 07.07.2015

Between:

G.V.S.V.T.Suryanarayana Sharma

...Petitioner

and

The Commissioner, Endowments Department and others

...Respondents

COUNSEL FOR THE PETITIONER : NONE APPEARED

COUNSEL FOR RESPONDENTS 1 & 3 : NONE APPEARED

COUNSEL FOR RESPONDENT No.2 : SRI V.VENUGOPALA RAO

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ORDER:

This Writ Petition is filed for a mandamus to declare memo bearing L.Dis.No.A1/43475/2010, dated 01.12.2010 as illegal and arbitrary.

At the hearing, there is no representation for the petitioner.

I have heard Mr. V.Venugopala Rao, learned counsel for respondent No.2 and perused the record.

The petitioner, who was appointed as Adharvana Veda Parayanadar Grade-II in respondent No.3 temple, was sent to respondent No.2 temple on deputation for a period of one year. On the eve of expiry of deputation, the petitioner has submitted a representation on 06.09.2010 to respondent No.1 for extension of his deputation. By impugned memo, the request of the petitioner was rejected and the petitioner was accordingly repatriated to his parent temple i.e. respondent No.3. Assailing the same, the petitioner has filed this Writ Petition. On 20.12.2010, this Court passed an interim order directing respondent No.1 to continue the petitioner in respondent No.2 temple and giving it liberty in consultation with respondent No.1 to take up the issue of filling up of the newly sanctioned post of Adharvana Veda Parayanadar Grade-II within six months and also to consider the feasibility of recruitment of the petitioner in the said vacancy. It was further observed that till final decision in the matter is taken, it will not be appropriate to compel the petitioner to serve respondent No.3.

Learned Standing Counsel for respondent No.2 submitted that the petitioner filed C.C.No.14 of 2013 complaining of non-compliance with the direction issued by this Court pertaining to consideration for his appointment in respondent No.2 temple and that in the said contempt case, this Court has permitted the petitioner to

forthwith report to the Executive Officer of respondent No.3 temple.

In my opinion, the petitioner cannot claim any vested right for continuing him beyond the period of deputation. The petitioner is repatriated to his parent temple i.e. respondent No.3 on expiry of the period of his deputation. Therefore, in the absence of any legally enforceable right, the petitioner cannot seek a mandamus for continuing his deputation. At any rate, as this Court has not shown any indulgence in favour of the petitioner in C.C.No.14 of 2013 and on the contrary, permitted him to join respondent No.3 temple, no relief can be granted in his favour in this Writ Petition.

For the above mentioned reasons, the Writ Petition is wholly without any merit and the same is accordingly dismissed.

As a sequel to dismissal of writ petition, interim order, dated 20.12.2010 is vacated and WVMP.No.222 of 2010 and WPMP.No.40484 of 2010 are dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

7th JULY, 2015.

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