

HON'BLE MR JUSTICE R. KANTHA RAO

Writ Petition NO.17392 OF 2015

DATE:17.06.2015

BETWEEN:

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Kuchipudi Babu @ Augusteen .. Petitioner

And

The APSRTC, Hyderabad rep. by its VC & Managing Director and two others

.. Respondents

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition NO.17392 OF 2015

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to issue a writ of mandamus declaring the proceedings No.P2/684(01)2010-RM(G) dated 24.07.2014 issued by the third respondent as illegal, arbitrary and violation of principles of natural justice and to set aside the same and consequently to direct the respondents to reinstate the services of the petitioner as contract conductor.

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

The petitioner in response to the notification issued for the post of contract conductor in the year 2010, applied for the said post. The respondents corporation sent him communication, dated 03.12.2011 asking him to attend the office on 12.12.2011 along with the original certificates of caste, residence etc. and also to undergo medical test. After complying with the aforesaid formalities of verification of certificates, the petitioner was selected for the post of conductor on contract basis in Guntur Region and he was directed to attend the Zonal Training College, Gannavaram, Krishna District for training. He also completed training successfully and was attached to Guntur II Depot to act as pro-conductor to learn the practical aspects of the job. The respondents Corporation also addressed a letter to the Station House Officer, Pedakakani on 12.06.2012 to ascertain whether the petitioner was involved in any criminal cases. The police in turn replied that the petitioner was involved in three criminal cases. According to the petitioner, all the criminal cases were foisted against him on false grounds and therefore, they cannot be taken into consideration. However, the respondents corporation by proceedings, dated 24.07.2014 informed him that he is not eligible to the post of conductor as he was involved in criminal cases and also that the panel for the year 2010 has already been expired.

Thereafter, the petitioner made representations dated 23.04.2015 and 27.4.2015 to the Executive Director stating that he was falsely implicated in the cases and therefore, he may be taken back into service. The said representations are pending before the respondents.

Having regard to the facts and circumstances of the case, the writ petition is disposed of without going into merits of the case with a direction to the respondents to consider the representations dated 23.04.2015 and 27.04.2015 submitted by the

petitioner and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in consequence.

R.KANTHA RAO,J

Date:17.06.2015

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THE HON'BLE SRI JUSTICE R.KANTHA RAO

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