

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

WRIT PETITION NO.2141 OF 2005

Between:

K. Suribabu

.. Petitioner

and

The Chairman & Managing Director,
Eastern Power Distribution Company
of Andhra Pradesh Limited (APEPDCL),
Visakhapatnam and others

.. Respondents

DATE OF JUDGMENT PRONOUNCEMENT
2015

: 28th JULY,

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

1. Whether Reporters of Local newspapers
may be allowed to see the judgment?

Yes/No

- | | | |
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| 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

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WRIT PETITION NO.2141 OF 2005

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ORDER

The petitioner was aggrieved by the disengagement of his services by the Divisional Engineer-Electrical, Operation Division, Andhra Pradesh Eastern Power Distribution Company Limited (APEPDCL), Srikakulam, and the non-consideration of his case for appointment as a Junior Lineman on contract basis pursuant to the letter dated 13.05.2003 of the Joint Managing Director of the A.P.TRANSCO, Hyderabad, addressed to the APEPDCL.

Sri M. Ravindra, learned standing counsel for the APEPDCL, informed this Court that the petitioner was disengaged from service as a Village Electricity Worker on 21.01.2003. This disengagement was effected by the appointing authority, the Sarpanch of the fourth respondent Gram Panchayat, upon the recommendation made by the APEPDCL on the ground that the petitioner had committed malpractice. Learned standing counsel also stated that the said disengagement from service has not been subjected to challenge and a mere reference was made in the prayer portion though it was not the Divisional Engineer-Electrical, Operation Division, APEPDCL, Srikakulam, who had effected such disengagement.

It appears that the Sarpanch, Gram Panchayat, Kanimetta Village, was impleaded only in March, 2008, as the fourth respondent in the writ

petition. But no notice was ever ordered to him.

Sri M. Ravindra, learned standing counsel, further stated that the policy of absorbing Village Electricity Workers in the service of the APEPDCL in the posts of Junior Linemen is no longer operative at present and further, the letter dated 13.05.2003 addressed by the Joint Managing Director, A.P.TRANSCO, to the APEPDCL would not benefit the petitioner inasmuch as he was removed from service as a Village Electricity Worker in January, 2003 itself.

In the light of the aforestated facts, this Court sees no possibility of adjudicating the matter on merits. The fourth respondent who effected the removal of the petitioner from service was impleaded belatedly and was never put on notice. The consequential prayer as regards the appointment in the service of the APEPDCL does not survive in the light of the present position.

The writ petition is therefore dismissed on these grounds. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

28th JULY, 2015
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