

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

Writ Petition No.3282 of 2009

Dated 22nd July, 2015

Between:

G.Siddaiah

...Petitioner

And

Government of Andhra Pradesh, rep.by Principal Secretary, Social Welfare Department, Secretariat Buildings, Hyderabad and others

...Respondents

Counsel for the petitioner: Sri V.Jithender Rao

Counsel for respondent Nos.1 & 3: AGP for Social Welfare

Counsel for respondent No.6: Sri Yadava Reddy

The Court made the following:

ORDER:

This is a hard case where the services of the petitioner, who is working as an Attender on a consolidated pay from 07.07.1988, are not being regularized.

In the counter affidavit filed by respondent No.2, it is *inter alia* stated that the A.P.Education and Welfare Infrastructure Development Corporation Limited was constituted after filing of the writ petition and that the said Corporation is concerned with the services of the petitioner. Therefore, the petitioner has impleaded the said Corporation as respondent No.6.

Sri Yadava Reddy, learned counsel for respondent No.6, has requested for time for filing counter affidavit. However, this Court feels that the facts of the case warrant immediate disposal of the writ petition with an appropriate direction to respondent No.6.

The learned counsel for the petitioner submitted that the

petitioner complies with all the requirements of G.O.Ms.No.212, dated 22.04.1994, except to the extent of availability of regular vacancy of Attender at the time of his initial engagement.

In my opinion, the very fact that the petitioner's services are engaged for nearly three decades would show that the requirement of an Attender was in existence all through. Though the petitioner has not faced the selection process, he is stated to possess all the qualifications for appointment as an Attender. The further fact that an Attender is not required to possess any skill or technical expertise, his not undergoing formal selection process should not deter respondent No.6 from considering his case for regularization at least at this length of time.

In the above facts and circumstances of the case, this Court is of the opinion that it would be highly iniquitous to deny regularization of the services of the petitioner. Respondent No.6 is, therefore, directed to positively consider the petitioner's case for regularisation and communicate the same to him within two months from the date of receipt of a copy of this order.

Subject to the above direction, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.4273/09 and 43601/12 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

22nd July, 2015
VGB