

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

WRIT PETITION NO.22421 OF 2011

DATED:9-7-2015

Between:

The EPDCL & Transco Contractors Welfare Association,
Rep. by its Joint Secretary, namely Pilla Narayana Rao
D.No.49-56-3/A,
Vidyutnagar
Visakhapatnam District

... Petitioner

And

The Chairman/Managing Director
EPDC Ltd., Visakhapatnam
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: None appeared

COUNSEL FOR RESPONDENT NOS.1, 4 to 16: Mr. M. Ravindra,
Standing Counsel for
APEPDCL

COUNSEL FOR RESPONDENT NOS.2, 3, 17 to 19: Mr. N. Siva
Reddy

THE COURT MADE THE FOLLOWING:

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ORDER:

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This writ petition is filed for the following substantive relief:

“... to issue any writ, order or direction more particularly a writ in the nature of Mandamus declaring the action of the respondents in not allowing the members of the petitioner’s association to engage the trained shift operators (qualified persons) in the existing/arising vacancies in the substations for maintenance for a period of two years dt.1-1-2011 to 31-12-2012 under EPDCL and Transco as illegal, arbitrary and contrary to the statutory conditions framed under the statute by the respondent in the agreement and consequently direct the respondents to allow the members of the petitioner’s association to engage the shift operators (qualified persons) for operation & maintenance of the sub-stations for a period of 2 years from dt.1-1-2011 to 31-12-2012, without any interference by the respondents as per the statutory rules under the agreement.”

At the hearing there is no representation for the petitioner.

I have heard Mr. N. Siva Reddy and Mr. M. Ravindra, learned Standing Counsel for respondent Nos.2, 3 and 17 to 19; and 1 and 4 to 16 respectively. They have submitted that as the period for which the contract in question was awarded has expired long back, the cause in the writ petition has become infructuous. From a perusal of the prayer in the writ petition, I find myself in agreement with the said submission of the learned standing counsel for the respondents. As the period for which the contract was awarded has expired on 31.12.2012, the cause in the writ petition does not survive for adjudication.

The writ petition is accordingly dismissed as infructuous.

As a sequel to dismissal of the writ petition, interim order dt.9.8.2011 shall stand vacated and W.P.M.P. No.27360 of 2011 and W.V.M.P. No.4793 of 2011 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

9-7-2015

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Note: The Registry is directed to mark appearance of Mr. N. Siva Reddy and Mr. M. Ravindra, for the respective respondents subject to entering of their appearance within two days.

(B.O)

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