

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.24797 of 2009

ORDER:

The writ petition is filed challenging the order dated 01.09.2009, passed by the 4th respondent-Joint Director of Agriculture, in his proceedings No.E1/2704/2009 removing the petitioner from the services of 'Adarsha Rythu'.

Heard Sri P. Subash, learned counsel for the petitioner and the learned Government Pleaders for Agriculture and Cooperation and for Revenue (T.G.).

The main contention of the petitioner is that neither he was given any notice nor given an opportunity of hearing before castigating the petitioner as incompetent and of a person rendering poor service.

No counter-affidavit has been filed by the respondents rebutting the allegations made by the petitioner.

The learned counsel for the petitioner had placed on record the common order dated 14.07.2010, passed by this Court in W.P.No.21868 of 2009 and batch. The learned single Judge of this Court had considered the identical issue in detail and finally allowed the batch of writ petitions with a finding that

"One more reason for this Court to disapprove the action of the respondents is that the petitioners are sought to be condemned by terming their performance as poor and thereby casting a stigma on them. Such an action on the part of the respondents, without giving an opportunity of hearing to the petitioners, is contrary to the doctrine of fairness and is in violation of the principles of natural justice. The law is well settled that nobody shall be condemned unheard. On this count also, the impugned memos cannot be sustained and they are accordingly set aside. The respondents are directed to continue the petitioners till such time as a proper opportunity of being heard is given to them by way of notices. After considering the explanations, if any, filed by the petitioners, the respondents shall be free to pass appropriate orders.

Subject to the above observations, the Writ Petitions are allowed."

In the light of the above common order, the matter is squarely covered in

favour of the petitioner. However, there are developments which are taken place subsequent to State Reorganization Act, 2014, the State of Telangana had come out with a G.O.R.T.No.120 dated 24.09.2014 abolishing the Adarsha Rythu system in the State of Telangana with immediate effect and to evolve a new system by appointing Assistant Agricultural Extension Officers with Diploma in Agriculture/Horticulture qualification to cater to the needs of farming community and enable effective transfer of Agriculture Technology to the farmers.

In the light of the new G.O.R.T.No.120 dated 24.09.2014 issued by the State of Telangana, the writ petition is allowed to the extent of setting aside the order dated 01.09.2009 of the 4th respondent-Joint Director of Agriculture. The further direction issued by my learned brother in the above said batch of cases with regard to continuance of the petitioners till such time as proper opportunity of being heard is given, does not require to be complied with on account of the abolition of the ‘Adarsha Rythu system’.

With the above observations, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

Date:07.11.2015.

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