

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 6454 OF 2015

ORDER:

The petitioner sought for directions to the respondents to grant all monetary benefits including increments, allowances, etcetera in the scale of pay attached to the post of a Bhajantri associated with the 3rd respondent temple.

It is the case of the petitioner that he has undergone the necessary training under Nadaswaram exponent by name Sri V. Satyanarayana, who teaches Nadaswaram at Sri Venkateswara Nadaswaram Patasala, TTD, Tirupati. He has attained the necessary proficiency in playing the instrument Nadaswaram. It is also the case of the petitioner that instead of allowing each temple to appoint Bhajantris on their own, the then Commissioner of Endowments has taken up the job of notifying the vacancies of Bhajantris and carried out the selections under the guidance and supervision of experts of the art concerned. Pursuant to a notification that appeared in all the newspapers on 05.06.2008, the petitioner has responded and competed for selection as a Nadaswaram player. Ultimately, his name was found included in the merit list drawn by the experts, who carried out the selections. In that view of the matter, the Commissioner of Endowments, through his proceedings, dated 15.11.2008, appointed the petitioner initially on a consolidated pay basis for Rs.3,000/- per month and put him on probation for a period of two years. The petitioner was attached to the 3rd respondent temple. It is one of the conditions of his appointment that if his performance during the period of probation of two years is not satisfactory, he would be discharged and on the other hand, if his services are found to be satisfactory as per the decision taken by the State Government contained in their G.O.Ms. No. 261, Revenue (Endowments-I) Department, dated 20.05.2002, he will be assigned the regular scale of pay. Accordingly, the Joint Commissioner of Endowments-cum-

Executive Officer of the 3rd respondent temple passed orders on 10.05.2011 declaring the petitioner to have satisfactorily completed the two-year period of probation with effect from 01.01.2011 and as per the terms and stipulations contained in G.O.Ms. No. 261, Revenue (Endowments-I) Department, dated 20.05.2002, the petitioner was extended pay fixation in the time scale of pay of Rs.4260-9520.

The grievance of the petitioner in this Writ Petition is that though he is receiving his salary in terms of and in accordance with the scale of pay attached to the post of Bhajantri, upon successfully completing 12-months of satisfactory service, the annual grade increments, which are required to be released for the years 2012-13 and 2014-15 have not been released so far. Various representations submitted by the petitioner have not produced the desired result.

When the matter appeared on the last occasion, learned Standing Counsel for the 3rd respondent has taken time and today, Sri D.V. Sashidar, learned counsel deputizing for the learned Standing Counsel for the 3rd respondent would submit that the 3rd respondent had considered the request of the petitioner for release of his annual grade increments. The 3rd respondent desired the petitioner to produce his academic qualifications to vouch for the fact that he has passed the necessary examination for Nadaswaram. However, the petitioner has not produced the same. As a result of his failure to produce the necessary certificate, his annual grade increments could not be released. However, Sri Sashidar has fairly brought it out that in somewhat a similar case to that of the petitioner, such an individual was asked to attend Punascharana Taragatulu Certificate course, so that the Commissioner can consider such an individual as eligible and suitable to be appointed as a Bhajantri/Nadaswaram player. The case of the petitioner, submits Sri D.V. Sashidar, would be considered on the same lines.

In view of the statement made that the case of the petitioner

would also receive consideration at the hands of the Commissioner, all I need to observe is that let the Commissioner of Endowments take a decision at the earliest, at any rate within the next two months and if the petitioner undergoes any Punascharana Taragatulu Certificate course, the same may be taken into account and consideration and appropriate orders be passed for releasing his annual grade increments.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

NOOTY RAMAMOHANA RAO, J

17th March 2015

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