

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.29567 of 2016

ORDER

This writ petition is filed seeking to declare the action of the respondents in not considering the case of the petitioner for absorption in the post of Record Assistant in the existing vacancies in spite of his representation dated 31.3.2016, as arbitrary and illegal.

The petitioner is working as Record Assistant in the 4th respondent-College, which is run by M.S.N.Society. The society was initially running a multi purpose school which was converted into Junior College in the year 1969-70 vide G.O.Ms.No.2219, Education (V) Department dated 22.9.1969. After conversion, 5 non-teaching staff were admitted in grant-in-aid on 19.12.1977. The 5th respondent made a representation to the authorities concerned to admit the remaining 9 posts to grant-in-aid.

It appears that as on today, only three posts of Record Assistants are vacant. The petitioner was appointed as Record Assistant on 4.1.2011 on outsourcing basis. The petitioner submitted an application before the respondents on 31.3.2016

with a request to consider his case for absorption to the post of Record Assistant in one of the existing vacancies. When no action was taken, the present writ petition is filed.

It is clear from the above facts that the petitioner was appointed as Record Assistant on 4.1.2011 on outsourcing basis. Merely because the petitioner has been working for the past five years, he has no right to seek absorption in one of the vacancies. It is for the 5th respondent to notify the vacancies inviting applications for the posts. As and when such an action is taken by the 5th respondent, it is open to the petitioner to apply to the said post.

In the absence of any legal right for the petitioner seeking absorption, the present writ petition cannot entertained.

The Writ Petition is accordingly dismissed at the admission stage. No costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

1st September, 2016
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