

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.22357 of 2016

ORDER

This writ petition is filed seeking to declare Resolution No.34, and consequential letter dated 29.6.2016 issued by the 4th respondent-Society, as arbitrary and illegal.

The petitioner claims that he is a Graduate in Commerce and has experience in computers. The 4th respondent wanted to recruit additional staff in order to meet the growing needs of the society. The application of the petitioner was considered on 5.12.2015 and the Managing Committee passed a resolution on the said date, appointing him as Clerk and fixed his pay at Rs.5,000/- per month. Accordingly, he joined in the 4th respondent-Society and has been working as such. While so, the 4th respondent passed a resolution removing the petitioner from service *vide* order dated 29.6.2016. Challenging the same, the petitioner filed the present writ petition.

On 12.7.2016, this Court ordered notice before admission. Though notice was served on the 4th respondent, none appears on its behalf. However, the record shows that the petitioner worked for nearly six

months from the date of his appointment. The 4th respondent might have thought that there is no need for continuing the petitioner as a clerk and therefore, removed him from service. The appointment of the petitioner was neither on contract basis nor temporary basis. His appointment was purely on the basis of the resolution passed by the Managing Committee and his removal also made on the basis of another resolution. In view of the discretion exercised by the 4th respondent with regard to the removal of the petitioner, this Court is not inclined to entertain the writ petition.

Accordingly, the Writ petition is dismissed. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

10th August, 2016
rkk

