

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.13427 OF 2010

O R D E R

The prayer of the petitioner in this case was as under:

‘For all the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the action of the respondent in not absorbing the petitioner as Barber in Tirumala Tirupathi Devasthanams on par with 600 Barbers as illegal, arbitrary and unconstitutional and consequently direct the respondent to absorb the petitioner as Barber in Tirumala Tirupathi Devasthanams and pay the time scale of pay attached to the said post as was given to 600 Barbers and pass such other or further orders as this Hon’ble Court may deem fit and proper.’

By interim order dated 15.06.2010, this Court directed the respondent-devasthanam to consider the case of the petitioner for absorption as barber in the devasthanam on par with similarly situated persons and to pass appropriate orders within a time frame and communicate the same to the petitioner.

It is now stated by Smt. Sundari R Pisupati, learned standing counsel for the respondent-devasthanam, that the Executive Officer of the Devasthanam issued order dated 03.11.2010, in pursuance of the aforestated interim order, allotting Badge No.210 to the petitioner and asked the Assistant Executive Officer to take further course of action in the matter. She would further state that the petitioner failed to join in service pursuant to the aforestated order dated 03.11.2010.

Perusal of the order dated 03.11.2010 reflects that the petitioner was taken into service as a barber on consolidated pay of

Rs.1,100/- per month on par with similarly situated persons and this was stated to have been done as per the directions of this Court in the present writ petition.

Though these aspects of the matter are contested by Sri P.Hemachandra, learned counsel for the petitioner, this Court finds that no steps were taken after the passing of the aforestated order, be it to challenge the same if the petitioner was aggrieved thereby or to seek its implementation, if it was not acted upon.

In that view of the matter, this Court is of the opinion that the cause in this writ petition, which was earlier in point of time to the order dated 03.11.2010, does not survive for adjudication independently.

The writ petition is accordingly closed. This order shall however not preclude the petitioner from working out his grievances, if any, in accordance with law. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

4th NOVEMBER, 2016

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SANJAY KUMAR, J