

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 6151 of 2013

DATED 23rd JUNE, 2016

BETWEEN

S. Ananthaiah

...Petitioner

And

The Managing Director,
A.P.S.H.C. Ltd.,
Himayatnagar, Hyderabad and ors

...Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 6151 of 2013.

ORDER:

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The petitioner was appointed as Work Inspector in the respondents-Corporation on 10.12.2007 through outsourcing agency, namely, District Mahila Federation, Kurnool. Subsequently he was promoted as Mandal In Charge of the third respondent-Corporation. When the third respondent asked the petitioner not to come to duty in the month of June, 2012, he submitted a representation on 23.11.2012 to the second respondent to take appropriate action on the second respondent, who is the Chairman of the Recruiting Committee. This Writ Petition was filed challenging the action of third respondent in not allowing the petitioner to continue in employment as Mandal In-charge.

A counter affidavit is filed on behalf of the respondents stating that the petitioner was taken into service through Outsourcing Agency as Work Inspector in the third respondent-Unit. The General Manager of the respondent-Corporation intimated to the third respondent vide proceedings dated 9.3.2011 that an enquiry was conducted by the Special Officer and in the report submitted thereon, it was noticed that the petitioner has released irregularly amounts of Rs.74,950/- for an old house and Rs.99,780/- for a house which was actually not constructed in L.Banda Thanda Village and directed to dispense the services of the petitioner with immediate effect. In view of the above, the second respondent-District Collector issued proceedings dated 20.6.2012 dispensing the services of the petitioner. The petitioner submitted a representation on 23.11.2012 to the second respondent seeking to take back him in service.

It is clear from the affidavit filed in support of the Writ Petition as well as the counter affidavit filed on behalf of the respondents that the petitioner was appointed as Work Inspector through Outsourcing Agency on 10.12.2007. Subsequently, the Special Officer submitted an enquiry report stating that the petitioner released irregularly the amounts of Rs.74,950/- for an old house and Rs.99,780/- for a house which was actually not constructed. In view of the said report of the Special Officer, the General Manager recommended to the third respondent to dispense the services of the petitioner. Accordingly, the second respondent passed an order on 20.06.2012 dispensing with the services of the petitioner. Since

the petitioner was appointed through outsourcing agency, he cannot claim any right seeking re-employment by respondents 2 and 3. The learned Standing Counsel appearing for the respondents-Corporation further submits that as on today the scheme of appointing the persons through outsourcing agency has been dispensed with. In view of the afore said submission also, no relief can be granted in the Writ Petition.

The Writ Petition is therefore dismissed. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A.RAMALINGESWARA RAO

DATED 23rd JUNE, 2016.
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