

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 36450 of 2014

DATED 26TH JULY, 2016

BETWEEN

Sri D.Saibaba and ors

....Petitioners

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat, Hyderabad and ors.

..Respondents.

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 36450 of 2014

ORDER:

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The petitioners herein are working as Superintendents. They challenged G.O.Ms.No.390, dated 22.11.2014 issued by the first respondent.

G.O.Ms.No.390 dated 22.11.2014 was issued for filling up the posts of Executive Officer Grade-I and Grade-III in Zone-II in relaxation of Rule 3 of the A.P. Charitable and Hindu Religious Institutions and Endowments Subordinate Service Rules.

It is brought to the notice of this Court by the learned Counsel appearing for the impleaded respondents that this Court in Writ Appeal No. 71 of 2008 dated 16.11.2009 held that the post of Executive Officer Grade-III is undisputedly a Civil Post and in view of the same, the appropriate forum to decide the lis is Andhra Pradesh Administrative Tribunal and the petitioners cannot invoke the jurisdiction of this court under Article 226 of the Constitution of India.

In the circumstances, the Writ Petition is dismissed as not maintainable. However, liberty is given to the petitioners to avail appropriate remedies in accordance with law within a period of thirty days from the date of receipt of a copy of this order.

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 26th JULY, 2016.

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