

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.12639 OF 2011

Dated:05.12.2016

Between:

D.Bhaskara Rao, S/o. Vijaya Rao,
Aged about 44 years, Working as P.E.T.
A.B.M. High School, Markapur,
Prakasam District, R/o.H.No.10-204-26-9,
Jawahar Nagar Colony, Markapur,
Prakasam District

.. Petitioner

And

ABM High School, Markapur,
Prakasam District, rep., by its
Correspondent and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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ORDER:

This Writ Petition is filed for the following relief:

“.. to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the salaries to the petitioner from 25.11.1999 in the aided vacancy of P.E.T., as illegal, arbitrary and against Article 21 of the Constitution of India and consequentially direct the respondents to pay the aided salaries to the petitioner from 25.11.1999 onwards with interest and continue to pay the salary every month and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The claim of the petitioner is based on the orders, dated 12.12.2005, of the District Educational Officer, Ongole, Prakasam District, the 2nd respondent, whereunder he has agreed for absorption into an aided P.E.T. Post, subject to approval from the Regional Joint Director, School Education, Guntur District, the 3rd respondent.

3. This Court, by order dated 11.06.2013, directed respondents 2 and 3 to deal with the proposal, dated 16.10.2004, submitted by the 1st respondent for absorption of the petitioner into service from 25.11.1999 and to release the grant-in-aid benefits to him.

4. The 3rd respondent, by proceedings Rc.No.318/B3/2005, dated 20.07.2013, rejected the request for treating the petitioner as appointed in grant-in-aid post from 25.11.1999 and for release of pay and allowances attached to the said post. In view

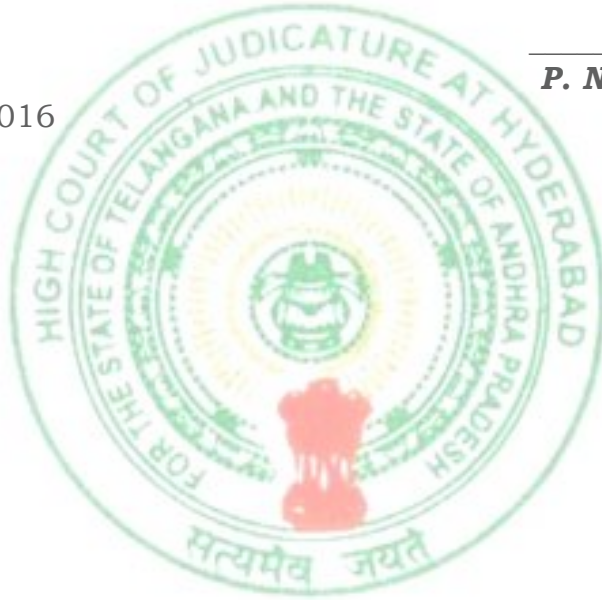
of the said proceedings, the prayer sought for by the petitioner in the Writ Petition cannot be granted, as the same is not under challenge. Hence, the Writ Petition is liable to be dismissed.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioner to avail appropriate remedies, if he is aggrieved by the orders dated 20.07.2013, passed by the 3rd respondent. There shall be no order as to costs.

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

Date:05.12.2016

KH



P. NAVEEN RAO, J