

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.5373 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus directing respondent Nos.2 to 4 to dispose the appeal dated 05-11-2014 submitted by the petitioner questioning his termination from the post of Social Studies Teacher in respondent No.5 declaring their inaction as illegal and ultra vires to the provisions of Articles 14 and 21 of the Constitution of India besides being in violation of Section 79 of A.P. Education Act and the Rules framed thereunder on the subject and consequently direct the respondents to reinstate the petitioner into services of the 5th respondent.”

Heard, Sri V.S.R. Anjaneyulu, learned counsel for the petitioner and learned Government Pleader for School Education for respondents, apart from perusing the material available before this Court.

According to the petitioner, he filed an appeal/representation, dated 05-11-2014 before the Regional Joint Director of School Education, Kakinada, East Godavari District – 3rd respondent herein complaining against the alleged illegal termination by the management of the 5th respondent – school.

The grievance of the petitioner is that though he filed appeal/representation as long back as on 05-11-2014 no action has been taken by the 3rd respondent – the Regional Joint Director of School Education, Kakinada, East Godavari District.

Without going into the merits and demerits of the matter and having regard to the nature of controversy, this Court is of the considered opinion that the ends of justice would be met if a direction is issued to the 3rd respondent to consider and pass appropriate orders on the appeal/ representation of the petitioner by fixing some timeframe.

For the aforesaid reasons, the writ petition is disposed of, directing the 3rd respondent – the Regional Joint Director of School Education, Kakinada, East Godavari District to take appropriate action on the appeal/representation, dated 05-11-2014 said to have been submitted by the petitioner herein after giving notice and opportunity of being heard to the petitioner, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SETHA SAI, J

February 19, 2016

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