

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.41528 of 2015

ORDER:

The petitioner is working in an aided vacancy as Secondary Grade Teacher in the respondent No.6 school. Initially she was appointed as a Secondary Grade Teacher on 21.07.1988 by respondent No.7 by following the due procedure. The said appointment was ratified on 30.08.1988. When one Z.Parimala went on leave and later on she died, the petitioner was continuing in the said leave vacancy and the vacancy arose due to death of Parimala. Respondent No.4 sent proposals for ratification on 06.10.2010 to respondent No.2. When certain clarifications were called for, the clarifications were also sent. The proposals are pending with respondent No.2. However, when salary was not paid pursuant to the proceedings of respondent No.5 dated 13.10.2015, the present writ petition was filed.

A counter was filed stating that the petitioner was appointed as a Secondary Grade Teacher in the leave vacancy of one D.Parimala as she went on leave from 01.08.1988 to 31.07.1989. The said working of the petitioner in the leave vacancy was ratified by proceedings dated 30.08.1988. However, when the said Parimala did not join and later on died, the petitioner was continued beyond 31.07.1989. However, her further continuance was not ratified nor any order was passed. In view of the same, the audit people took an objection. In that background, respondent No.5 issued the impugned proceedings on 13.10.2015.

It is clear from the facts that the petitioner has been working in the aided vacancy of one D.Parimala initially during the

period she went on leave and later on she continued as the incumbent did not join duty even after the expiry of leave. The working of petitioner during the leave period was ratified by proceedings dated 30.08.1988. However, subsequent continuance of the petitioner in the said aided vacancy was not ratified nor any proceedings were issued to that effect. It appears that in view of the said lapse, the audit people took an objection and though the petitioner has been working in the respondent No.6 School, her salary was not being paid as the matter is pending with respondent No.2. The issue of regularization of the period from 01.08.1988 is pending with respondent No.2.

In the circumstances, this Writ Petition is disposed of directing respondent No.2 to pass appropriate orders in accordance with law, pursuant to the proposals submitted by respondent No.4 on 06.10.2010 and taking into consideration the subsequent clarifications issued by respondent No.4, within a period of three (3) months from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

28.06.2016

MVA