

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

WRIT PETITION No.9948 OF 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ order or direction more particularly in the nature of writ of mandamus declaring the illegal action of the respondents 1 to 5 not absorbing into aided post is illegal arbitrary and unsustainable in law and violation of Article 14 16 19 and 21 of Indian Constitution and consequently direct the respondents 1 to 5 to absorb the petitioner into grant-in-Aided post from the date of availability of aided post in the 6th respondents school and to grant all consequential benefits of appointment and pass.”

2. Heard Sri Kuna Reddy Anji Reddy, learned counsel, appearing for the petitioner and learned Government Pleader for Education, appearing for the respondents.

3. The grievance of the petitioner in the present writ petition is inaction on the part of the respondents in absorbing the petitioner into aided post. According to the petitioner, she was appointed as Record Assistant on 13.01.1999 in the vacant aided post, which arose consequent upon the promotion of Junior Assistant in the 6th respondent school. Earlier, on 17.03.2003 and 18.03.2004, the 6th respondent school addressed letters to the District Educational Officer – 4th respondent herein requesting for absorption of the petitioner in the grant in aid Record Assistant Post. The 6th respondent school also addressed letter to the 1st respondent on 31.03.2004, making similar request. Vide Memo No. 446/2003-04, dated 22.06.2004, the State Government made a request to the District Educational Officer to examine the request made by the

6th respondent school. Vide Letter Rc.No.3926/A1/2004, dated 13.08.2004, Regional Joint Director of School Education, Hyderabad, also submitted proposals for taking further necessary action.

4. Today when the matter is taken up, it is stated by the learned Government Pleader that the petitioner herein may be directed to make a fresh representation enclosing all the correspondences, for redressal of her grievance, to the respondent authorities and appropriate action would be taken, in accordance with law.

5. Recording the said submission, Writ Petition is disposed of, keeping it open for the petitioner herein to make necessary application before the respondents herein for redressal of her grievance, within a period of two weeks from the date of receipt of a copy of this order and if any such representation is made within the time stipulated, the same be considered and appropriate orders be passed, in accordance with law, within a period of two months from the date of such representation and communicate the said orders to the petitioner herein.

6. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

12.04.2016
SS