

**HONOURABLE SRI JUSTICE G.CHANDRAIAH
AND
HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO**

WRIT PETITION No. 6903 of 2005

DATED 18TH JANUARY, 2016

BETWEEN

The Government of Andhra Pradesh,
Higher Education (IE-1) Department,
Secretariat, Hyderabad and ors

...Petitioners

And

Smt. D.Sunanda and anr

...Respondents

**HONOURABLE SRI JUSTICE G.CHANDRAIAH
AND
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WRIT PETITION No. 6903 of 2005

ORDER: (Per Hon'ble Sri Justice G. CHANDRAIAH)

The second respondent herein while working as Junior Lecturer in English at Visakha Government Junior College for Girls, Visakhapatnam was placed as in-charge Principal of the said college. While so, the Government has taken over the said college under G.O.Rt.No. 576, dated 27.3.1992 and by virtue of the same, the applicant and other employees working in the college have become government employees. Thereafter, the second petitioner-Director of Intermediate Education passed order dated 18.4.2001 appointing the second respondent herein as the principal of the Visakha Government Junior College for

Girls. Aggrieved by the same, the first respondent herein approached the Andhra Pradesh Administrative Tribunal by way of filing O.A.No.8906 of 2001. When the said OA was pending adjudication, the third petitioner-Regional Joint Director of Higher Education transferred the first respondent vide proceedings dated 3.8.2002 to Government Junior College, Gummalakshmipuram, Vizianagaram district. Questioning the said transfer, she filed O.A.No.7545 of 2002. The Andhra Pradesh Administrative Tribunal through common order dated 30.07.2003 allowed both OAs filed by the first respondent holding that the first respondent is entitled to be considered for the post of Principal of Junior College as per her seniority and eligibility as on the date of taking over of the junior college by the Government and declared the transfer proceedings dated 3.8.2002 as illegal and contrary to law. Aggrieved by the relief granted in OA.No. 8906 of 2001, the State preferred the present Writ Petition.

This Court while admitting the Writ Petition on 7.4.2005 directed the parties to maintain status quo existing as on that day. However, the said order was vacated on 10.4.2007.

Today when the Writ petition is taken up for hearing, the learned Government Pleader produced proceedings in Rc.No.Ser.1-A-2/1024/2001, dated 5.5.2007, Rc.No.Ser.II-1/549/2014, dated 31.07.2014 and Rc.No.Ser(A&E)/AP/P14/I/S-2673/SP516/2011-10/475, dated 3.11.2011, wherein it was stated that pursuant to the transfer proceedings, the first respondent has been relieved from Visakha Government Junior College for Girls, Visakhapatnam on 9.8.2002 and she was reported to duty at the place of new posting, i.e. Government Junior College, Waddadi, Visakhapatnam District; that she has

been sanctioned leave for the period from 10.08.2002 to 13.5.2007 and retired from service on 31.5.2007 and that necessary proposals were forwarded for granting pension/gratuity respectively.

Inasmuch as the first respondent herself requested the petitioner authorities to give posting orders pursuant to her transfer and as she has joined at her new place of posting and thereafter retired from service and pensionary benefits were sanctioned, the learned Government Pleader submits that nothing remains for consideration in the Writ Petition.

In view of the aforesaid submission of the learned Government Pleader, the Writ Petition is closed.

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

JUSTICE G.CHANDRAIAH

JUSTICE U.DURGA PRASAD RAO

DATED 18TH JANUARY, 2016.

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