

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

**WRIT PETITION No.9511 OF 2016**

**ORDER:**

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

“to issue an order or direction, more particularly, a writ of Mandamus a) declaring the action of respondents 1 to 3 in not absorbing the petitioner into the grant-in-aid post of Junior Lecturer in Urdu in the 4<sup>th</sup> respondent college with effect from 04.6.2003 on which date her services were approved, as illegal, improper and unjust; b) declare the order of the 3<sup>rd</sup> respondent vide Rc.No.Admin.II-1/2965/2009 dated 4.12.2015 as illegal to the extent of not absorbing the petitioner with effect from 04-06-2003, as illegal, arbitrary and discriminatory; and c) declare that the petitioner is entitled to get absorbed from 4.6.2003, i.e, from the date of approval of her appointment by the 3<sup>rd</sup> respondent as done in the case of several similarly situated persons; d) consequently direct the respondent to absorb the petitioner w.e.f 4.6.2003 as done in the case of several others with all consequential benefits including all monetary benefits, in the interest of justice; e) and pass such other order or orders as this Hon'ble Court may deem fit and just.”

2. Heard Sri P.Gangaiah Naidu, learned Senior Counsel, representing learned counsel for the petitioner on record, Smt.G.Bhanu Priya, learned Government Pleader for Education, appearing for the 1<sup>st</sup> respondent and Smt.M.Siva Jyothi, learned standing counsel, appearing for the respondents 2 and 3.

3. According to the petitioner, she was appointed as a lecturer in Urdu in the 4<sup>th</sup> respondent College and she was selected by selection committee and her appointment was approved by the 2<sup>nd</sup> respondent – Board of Intermediate Education on 04.06.2003.

4. The State Government vide G.O.Ms.No.45, School Education (IE) Department, dated 27.11.2015, granted permission to the Commissioner of Intermediate Education to admit the petitioner to Grant-in-Aid post, subject to the outcome of W.A.No.199 of 2014. As a consequence of the same, the Commissioner of Intermediate Education, A.P., Hyderabad, vide proceedings Rc.No.Admn.II-2/2965/2009, dated 04.12.2015, issued orders, admitting the petitioner to Grant-in-Aid w.e.f. 04.12.2015.

5. The case of the petitioner in the present Writ Petition is extension of the benefit only from 04.12.2015 is illegal and the respondents ought to have extended the same w.e.f. 04.06.2003. It is also brought to the notice of this Court that aggrieved by the said action of the Commissioner of Intermediate Education in extending the benefit from 04.12.2015, petitioner herein submitted a representation dated 01.03.2016 before the 1<sup>st</sup> respondent – State Government. It is also submitted by the learned Senior Counsel that no orders have been passed on the said representation dated 01.03.2016 by the State Government.

6. Since the representation filed by the petitioner herein is pending consideration before the 1<sup>st</sup> respondent herein, this Court is of the considered opinion that the ends of justice would be met, if the 1<sup>st</sup> respondent is directed to consider and pass appropriate orders on the said representation dated 01.03.2016, in accordance with law, by fixing some timeframe.

7. For the aforesaid reasons, Writ Petition is disposed of, directing the 1<sup>st</sup> respondent – State Government to consider and pass appropriate orders on the representation dated 01.3.2016 submitted by the petitioner, by taking into consideration the entire material, within a period of three months from the date of receipt of a copy of this order, in

accordance with law. It is also open for the petitioner herein to place the entire relevant material before the 1<sup>st</sup> respondent.

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

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**A.V.SESHA SAI, J**

**01.04.2016**

**SS**