

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.14012 OF 2007

DATED:14-10-2016

Between:

C. Narayana

... Petitioner

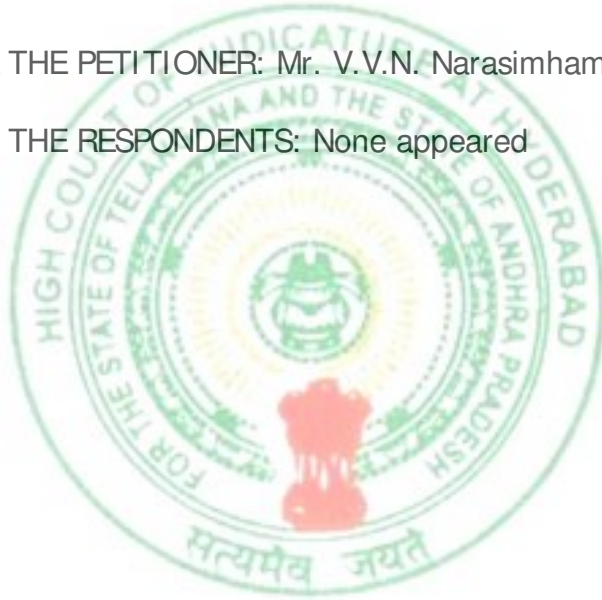
And

Deputy Commissioner of Endowments
Office of the Deputy Commissioner of Endowments
Kurnool
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. V.V.N. Narasimham

COUNSEL FOR THE RESPONDENTS: None appeared



THE COURT MADE THE FOLLOWING:

ORDER:

This writ petition is filed for a mandamus to declare the Resolution dt.13.1.2007 of respondent No.4 and consequential orders, dt.6.3.2007, in L.Dis No.B3/897/2007/Adm., of respondent No.1, and dt.5.4.2007 in Rc. No.1/2007 of respondent No.3, as illegal and arbitrary.

By the aforementioned orders, the respondents sought to remove the petitioner only on the ground that he is over-aged for being continued as sweeper.

At the hearing, learned counsel for the petitioner submitted that when the writ petition was filed the petitioner was aged 55 years old and on the strength of the interim order passed by this Court on 3.07.2007, which was made absolute on 25.10.2007, he is being continued.

Considering the admitted age of the petitioner as in 2007, with the lapse of nine years from the date of filing of the writ petition the petitioner has reached the age of about 65 years. It is not the pleaded case of the petitioner, nor is it the submission of the learned counsel appearing for him that a person of the age of 65 years is entitled to continue as sweeper.

The learned counsel for the petitioner submitted that though on the strength of the interim order granted by this Court the petitioner is being continued as sweeper, he was not paid consolidated pay as was being paid to him earlier. No one appeared for the respondents either to admit or controvert this submission.

Therefore, while disposing of the writ petition as infructuous, respondent Nos.2 and 3 are directed to consider payment of the consolidated pay to the petitioner for the period for which he has served

as sweeper and pass appropriate order within one month from the date of receipt of this order.

C.V. NAGARJUNA REDDY, J

14-10-2016

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