

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

WRIT PETITION No.6794 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the inaction of the respondents in considering the representation dated 05-08-2015 filed by the legal representatives of the deceased employee M.Ramesh Babu bearing employee E.502037 Depot Clerk (E) of Venkatagiri Depot as arbitrary, illegal and contrary to the APSRTC Employees’ (Conduct) Reg.1963 and consequently direct to dispose of the representation forthwith.”

Heard, Sri Sai Gangadhar Chamarty, learned counsel for the petitioner and Sri A. Rama Rao, learned Standing Counsel for respondents.

The petitioner’s father one Sri M. Ramesh Babu while working as Depot Clerk in 3rd respondent Depot was removed by an order, dated 17-07-2014.

According to the petitioner, against the said orders of removal his father filed an appeal in person before the 2nd respondent – the Deputy Chief Traffic Manager, A.P.S.R.T.C., Nellore and pending appeal the petitioner’s father died of heart-attack on 02-09-2014 leaving behind his wife Smt.Padmavathi, the petitioner herein and two daughters. It is stated in the affidavit filed in support of the writ petition that so far no communication has been sent to the petitioner with regard to the fate of the appeal.

It is submitted by learned Standing Counsel for respondents

that if any such appeal is pending consideration before the 2nd respondent the same will be disposed of by appellate authority, in accordance with law. It is further submitted by learned Sanding Counsel that the entitlement of the petitioner, if any, depends upon the outcome of the said appeal.

In view of above submissions, the writ petition is disposed of, directing the 2nd respondent to pass appropriate orders on the appeal said to have been filed by the petitioner's father against the orders of the removal, dated 17-07-2014, within a period of two (2) months from the date of receipt of a copy of this order.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SETHA SAI, J

March 02, 2016

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