

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

WRIT PETITION No.13409 OF 2016

ORDER:

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

“to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 and 3 in not considering the petitioner's representation dated 21.10.2015 submitted for continuing him as Field Assistant in P.Venkatapuram Gram Panchyat, Yerraguntla Mandal, YSR Kadapa District as illegal, arbitrary, violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as Field Assistant of P.Venkatapuram Gram Panchyat, Yerraguntla Mandal, YSR Kadapa District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. When the matter is called, it is represented by learned counsel for the petitioner so also the learned Government Pleader that the issue in the present writ petition is squarely covered by the orders of this Court in W.P.No.27468 of 2015 and batch, dated 03.12.2015 and copy of the same is also placed on record. Paragraphs 111 to 113 of the said order read as under:

111. “The respondent District Collectors shall form a committee of three officers consisting of Revenue Divisional Officer, any District level Officer, other than the District Panchayat Officer and Mandal Parishad Development Officer of respective mandals. The Committee shall hold its sittings in respective Mandal Parishad Development offices with advance intimation of date of holding of sitting to Field Assistants hitherto working within the territorial jurisdiction of concerned mandal, whose contract is not renewed, give them opportunity to explain the targets achieved by

them which are not accounted/reasons for not achieving the targets, other constraints. The Committee shall also make available the assessment record of respective Field Assistants for perusal of concerned Field Assistants. The Committee shall consider said explanations objectively and make appropriate recommendations to the competent authority.

112. The competent authority shall consider the recommendations of the committee objectively and shall take decision for renewal of the contracts of petitioners having due regard to parameters set out while granting such renewal to others. Until the entire exercise is completed no fresh recruitment shall be made.

113. It is to be noted that if the contract of any of the petitioners is not renewed, they are entitled for consideration for fresh enlistment along with other candidates from open market, more so when the respondents also contend that the decision not to renew the contract of employment is not as a measure of penalty nor intending to attach stigma. Thus, respondents shall permit such of those petitioners whose contract is not renewed also to compete along with open market candidates and consider their suitability for appointment as Field Assistants if they are otherwise eligible and without regard to previous assessment undertaken at the time of renewal of contract.”

3. Following the above said common order and for the reasons recorded therein, this writ petition is also disposed of, in terms of the above said common order.

4. 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

26.04.2016

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