

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 1085 of 2011

Date :27.7.2016

Between :

G.Venkataiah S/o Sri Jangaiah
R/o D No. 1-4-12, Rajendranagar, R R Dist

Petitioner

And

Government of A P
Rep by its Prl Secretary,
Agriculture and Cooperation Dept,
Secretariat, Hyderabad and 2 others

Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 1085 of 2011

ORAL ORDER:

This writ petition is filed praying to grant 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 2nd and 3rd respondents in not regularizing the petitioner's service and also not appointing him as Record Assistant in the 2nd respondent University as arbitrary, illegal, contrary to their

2. Petitioner sought for regularization of the services as Record Assistant on the ground that he has been working for long time and he is otherwise eligible for appointment.

3. In the counter affidavit filed on behalf of the second respondent university, it is averred that petitioner though fulfils other requirements of the Andhra Pradesh (Regulation of Appointments to Public Services and Rationalisation of Staff Pattern and Pay Structure) Act, 1994 (Act 2 of 1994), insofar as eligibility qualification is concerned, he is not qualified as he has not passed 10 class examination, whereas, according to the service rules, minimum educational qualification required to hold the post of Record Assistant is 10th class. The counter affidavit further goes to contend that according to the seniority of casual labour his name stood at Serial no.22. 16 candidates were regularized. In the same community i.e., scheduled caste his name stands at Serial no.4 and over all his name stands at Serial no.6. Ignoring his seniors he cannot be regularized. Even otherwise, he can not be considered as no vacancies are available for regularization.

Having regard to the said stand of the respondents, which is not denied, the prayer sought in the writ petition cannot be granted. Writ Petition is accordingly dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:27.7.2016
TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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