

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

WRIT PETITION No.7277 OF 2016

ORDER:

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

“to issue a writ order or direction more particularly in the nature of writ of mandamus declaring the illegal action of the Respondents 1 to 4 not absorbing the Petitioner S.G.T., unaided post into aided post is illegal arbitrary and unsustainable in law and violation of Article 14, 16, 19 and 21 of Indian Constitution and consequently direct the respondents 1 to 4 to absorb the petitioner S.G.T., into grant-in-Aided post from the date of availability of aided post in the 6th respondent school and to grant all consequential benefits of appointment and pass such other order or orders which ever this Hon'ble Court may deem fit and proper.”

2. Heard Sri K.Anji Reddy, learned counsel, appearing for the petitioner and learned Government Pleader for Education, appearing for the respondents.

3. According to the petitioner, she was appointed as a Secondary Grade Teacher against an aided vacant post in the 6th respondent school in the year 1992. The 6th respondent school, on 30.06.2003, sent a proposal to the District Educational Officer, Hyderabad, requesting approval for absorption of the petitioner against the aided post with effect from 01.11.1992. Subsequently, vide proceedings Rc.No.2073/HNR/2004, dated 09.07.2004, the Deputy Educational Officer, Himayathnagar, Hyderabad, forwarded the proposals of the 6th respondent school to the District Educational Officer, Hyderabad. Vide Letter bearing Rc.No.4359/D2-4/2004, dated 13.12.2004, the Director of School Education, informed the District Educational Officer, Hyderabad that the necessary proposals were

already submitted to the Government for issuance of necessary orders in the matter.

4. According to the learned counsel for the petitioner, on 17.08.2013, petitioner herein submitted a representation to the 1st respondent – State Government, for redressal of her grievance and no action has been taken so far by the 1st respondent in the direction of redressing the grievance of the petitioner herein.

5. In the facts and circumstances of the case and having regard to the nature of controversy, this Court is of the considered opinion that the ends of justice would be met, if the 1st respondent – State Government is directed to take appropriate action on the representation dated 17.08.2013, said to have been submitted by the petitioner herein, in accordance with law, by fixing some timeframe.

6. For the aforesaid reasons, Writ Petition is disposed of, without expressing any opinion on the merits and demerits of the matter and entitlement of the petitioner herein, directing the 1st respondent – State Government to consider the representation dated 17.08.2013, said to have been submitted by the petitioner herein and pass appropriate orders, if it is pending, within a period of two months from the date of receipt of a copy of this order.

7. 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

19.04.2016
SS