

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.39491 of 2014

ORDER:

The petitioner is a Post Graduate in M.Sc.,M.Ed.,M.Li.Sc. and he applied for the post of Librarian (Aided) pursuant to the paper notification issued by the 3rd respondent dated 19.06.1996. He was appointed as a Librarian (Aided) after undergoing the selection process. The 3rd respondent sent proposals for the approval of the appointment and the said approval was not accorded immediately, but the same was given after the petitioner crossed 45 years of age by the 4th respondent vide proceedings dated 11.06.2009. The name of the petitioner finds place in the list of Physical Directors and Librarians appointed after 14.12.1995 in private aided junior college prepared by the 4th respondent, but no orders were issued in respect of the petitioner since approval was not accorded for his appointment. The Regional Joint Director of Intermediate Education, Rajahmundry, submitted proposals on 20.11.2009 to the 2nd respondent for admitting the post of the petitioner into grant-in-aid and when no orders were passed by the 2nd respondent, the present writ petition is filed.

2. Even after admitting the writ petition on 19.01.2015, no counter-affidavit is filed by the respondents till today.

3. A perusal of the proceedings of the Regional Joint Director of Intermediate Education, Rajahmundry, dated 20.11.2009 makes it clear that the post of Librarian was admitted into grant-in-aid on 16.04.1990 along with other posts. The post was filled up by the Secretary and Correspondent of the college after obtaining permission on 02.01.1996 from the 2nd respondent. The petitioner underwent due process of selection. Though the Secretary and Correspondent of the college submitted proposals for the approval of appointment of the petitioner, the same was not accorded as the petitioner was working in Girls College and he was below 45 years of age. Ultimately the proceedings were

issued on 11.06.2009 by the 4th respondent approving the appointment of the petitioner as Librarian as he crossed the age of 45 years. After approval of the appointment, proposals were submitted by the Regional Joint Director of Intermediate Education, Rajahmundry, and necessary orders are to be issued by the 2nd respondent in pursuance of the said proposals.

4. In view of the undisputed facts, this Court is inclined to allow the writ petition by directing the 2nd respondent to issue necessary orders after going through the record within three months from the date of receipt of a copy of this order.

5. The Writ Petition is accordingly allowed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

15-06-2016
Gsn