

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.10170 OF 2017**

**DATED : 24.03.2017**

Between :

M. Chander S/o.Veerappa,  
Aged about 50 years,  
Working as Agricultural Extension Officer Grade I,  
Keesara,  
O/o. Assistant Director of Agriculture (R),  
Medchal, Medchal District (BC) & seven others.

...

Petitioners

And

The State of Telangana,  
Rep. by its Principal Secretary to Government,  
Agriculture & Cooperation Department,  
Secretariat, Hyderabad & another.

...

Respondents



This Court made the following :

**HON'BLE SRI JUSTICE P. NAVEEN RAO****WRIT PETITION No.10170 of 2017****ORDER :**

Petitioners are working as Agricultural Extension Officers in Grade-I. The grievance of the petitioners is that they are made to stagnate in the same post and not even a promotion in the entire service and that in any service, there can be no stagnation in the same post in which a person is recruited and there has to be periodical movement to employees. Therefore, non-providing the promotional avenue is illegal, unjust and contrary to the principles laid by the Supreme Court in **Food Corporation of India and others v. Parashotam Das Bansal and others<sup>1</sup>**.

As seen from the material on record, the Association submitted a representation to the Director of Agriculture on 03.11.2015 by marking copies to the Principal Secretary to Government, Commissioner & Director of Agriculture and Minister for Agriculture, ventilating the grievance for providing promotional avenue and this was followed up by another representation dated 23.05.2016.

Since the Association has already ventilated the grievance to the various authorities, I deem it appropriate to dispose of the writ petition by directing the Principal Secretary to the Government, Agricultural and Cooperation Department – 1<sup>st</sup> respondent, to examine the claim of the petitioners with reference to the creation of

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<sup>1</sup> (2008) 2 SCC (L&S) 76

promotional avenue to the Agricultural Extension Officers as ventilated by the Association, through representations dated 03.11.2015 and 23.05.2016, take a decision and pass appropriate orders, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioners.

With the above direction, the Writ Petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

24<sup>th</sup> March 2017.

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**P. NAVEEN RAO, J**

the representation of the petitioner favourably and which may have effect on the claim of the 4<sup>th</sup> respondent, the 4<sup>th</sup> respondent shall be put on notice and due opportunity of hearing shall be given before passing of the orders adverse to her interest. There shall be no order as to costs.

as ventilated in her representation, dated 10.02.2017, and pass appropriate orders as warranted by law by assigning due reasons in support of his decision, within a period of eight weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

to examine the claim of the petitioner for provision of compassionate appointment having regard to the scheme as applicable and pass appropriate orders as warranted by law by assigning due reasons in support of the decision, within a period of six weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

. Having regard to the said submission and without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing the 1<sup>st</sup> respondent to consider the appeal, dated 04.01.2017, and pass appropriate orders as warranted by law by assigning due reasons in support of the decision, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

4. However, as the order was passed by the Depot Manager, the question of consideration by him does not arise. Having regard to the submission of learned counsel for petitioner, without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing the 3<sup>rd</sup> respondent to forward the representation submitted by the petitioner to the Regional Manager, A.P.S.R.T.C., West Godavari Region, Eluru, West Godavari District, the 2<sup>nd</sup> respondent, within one week from today and on receipt of such representation, the 2<sup>nd</sup> respondent shall consider and pass appropriate orders as warranted by law by assigning due reasons in support of his decision, within a period of two weeks thereafter and communicate the same to the petitioner. There shall be no order as to costs.

or into commercial space and also constructed pent houses contrary to the building permission. On account of such illegal construction, grave prejudice is caused to the petitioner in the matter of parking vehicles and utilizing facilities as originally promised by the builder.

Alleging such illegal construction, on behalf of the petitioner, a legal notice was issued on 30.08.2016 to the 2<sup>nd</sup> respondent-Deputy Commissioner, Circle No.IX A. A reminder was also sent alleging that said complaint is not acted upon and petitioner is continuing to suffer. Hence, this writ petition is filed.

When the matter is taken up, learned Standing Counsel for Greater Hyderabad Municipal Corporation would submit that since a complaint is already filed, an appropriate response would be given to the petitioner and if any illegality is noticed, appropriate action will be taken and requested for disposal of the writ petition.

Learned counsel for the petitioner agreed with the same and sought a direction to consider the representation/notice already submitted, expeditiously.

Having regard to the said submissions, without expressing any opinion on merits and preserving the rights of the 4<sup>th</sup> respondent/builder, if any, the writ petition is disposed of, directing the 3<sup>rd</sup> respondent to consider the notice dated 30.08.2016 and the representation dated 07.11.2016 said to have been filed by the

petitioner, examine the grievance and take such course of action as warranted by law, within six weeks from the date of receipt of a copy of this order and communicate the decision thereon to the petitioner. If the 3<sup>rd</sup> respondent is of the opinion that there are deviations by the builder, he may cause notice to the builder and a due opportunity may be given to him as warranted by law.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

16<sup>th</sup> November 2016.

Note :

Issue C.C. in three days.

(b/o)  
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**P. NAVEEN RAO, J**

