

THE HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.3547 of 2014

ORDER:

Heard.

2. The present Writ Petition came to be filed seeking issuance of writ of mandamus declaring the action of the second respondent in appointing third respondent as Shift Operator in the place of petitioner, vide Letter No.DEE / OP/ SPL/ JAO/ U2/ D.No.1896/ 13, dated 16.01.2014, without issuing any notice to the petitioner, as illegal and arbitrary.

3. The averments in the affidavit filed in support of the writ petition would show that the petitioner, after completion of X class in the year 2006, joined Electrical Trade at Awara, ITI, Aswaraopet, Khammam District, and completed his trade in the year 2008. Thereafter, he joined as Shift Operator in the respondent-Corporation on 15.02.2010, due to demise of one Gorla Rajeshwara Rao and since then he has been working without any remarks. While things stood thus, the first respondent appointed the unofficial respondent herein as Shift Operator, in place of the petitioner, without issuing any notice or terminating the services of the petitioner. Aggrieved thereby, the present writ petition came to be filed.

4. A counter came to be filed stating that the unofficial respondent was selected by the first respondent and the selection was based on following the procedure contemplated in law. It is further stated that the petitioner was only engaged by the contractor on temporary basis and as such he has no right to question the act of the respondents.

5. At this stage, learned counsel for the petitioner would submit that the petitioner has made a representation seeking appointment on contract basis,

hence, the respondent-authorities may be directed to consider the same, as and when vacancies arise.

6. Having regard to the averments made in the counter, the petitioner cannot be directed to be appointed for the present post. But, however, in case of future vacancies, which are likely to occur, for the post of Shift Operators, in the respondent-Company, the representation said to have been made by the petitioner, shall be considered by the official respondents, in accordance with law and if the petitioner is otherwise eligible to the said post.

7. Accordingly, the writ petition is disposed of. No costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

28.04.2017
vnb



JUSTICE C. PRAVEEN KUMAR