

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.25400 of 2017

ORDER:

This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the respondents in not paying salaries to the petitioner from December 2016 as Field Assistant or Senior Mate in spite of several requests and representation, dated 28th June, 2017, as illegal, arbitrary, unjustified and violative of Articles 14, 16 and 19 of the Constitution of India and consequently direct the respondents to pay the salaries to the petitioner from December, 2016, onwards as Field Assistant or Senior Mate of Uppala Village, Ieeja Mandal, Jogulamba Gadwal District.

2. Heard Sri N.S. Arjun Kumar, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for respondents 1 & 2, learned Government Pleader for Revenue for the 3rd respondent and Smt. R. Padma Rekha, learned Standing Counsel appearing for respondents 4 & 5 and perused the material available on record.

3. The case of the petitioner is that the petitioner was initially appointed as Field Assistant in Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) at Uppala Village, Ieeja Mandal, Jogulamba Gadwal District, on 19.12.2016 and since then, the petitioner has been working in the said post, but he has been paid for his work from December, 2016, to till date, either as a Field Assistant or Senior Mate. The petitioner has also made a representation, dated 28.06.2017, to the 3rd respondent requesting to pay his salaries as a Field Assistant or Senior Mate, but till now, the

3rd respondent has not considered the same and no orders are passed on the same.

4. Smt. R. Padma Rekha, learned Standing Counsel appearing for respondents 4 & 5, produced written instructions bearing No.D1/55/SA/2016, dated 05.08.2017, wherein it is stated that the salary of the petitioner of the said period will be paid on the basis of the man days.

5. From the perusal of the written instructions, dated 05.08.2017, produced by the learned Standing Counsel for respondents 4 & 5, it is seen that the reasons given in the said proceedings does not appear valid reasons for non-payment of the salary to the petitioner and that the petitioner is entitled for payment of salary for the period he worked.

6. Taking into consideration the facts and circumstances of the case and the written instructions produced by the learned Standing Counsel for respondents 4 & 5, this Court is of the view that the writ petition can be disposed of with the following direction:

The respondents are directed to pay the salary to the petitioner for the period he worked within a period of two (2) weeks from the date of receipt of a copy of this order.

7. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A.RAJASHEKER REDDY, J

Date: 8th August, 2017
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