

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.5604 of 2017

Date: 01.03.2017

Between:

P. Muthanna s/o. Gangaram, Aged about 52 years,
Assistant Pay and Accounts Officer, O/o APAO (W&P),
Medak District and another.

.....Petitioners

And

The Director of Works Accounts, Telangana,
1st Floor, M3 Block, Manoranjan Complex,
Nampally, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioners are working as Assistant Pay and Accounts Officers. They are claiming for promotion as Pay and Accounts Officers. According to petitioners, there are five vacancies in the post of Pay and Accounts Officer. Petitioners allege that in stead of promoting them as Pay and Accounts Officer, authorities are considering the claims of the Divisional Accounts Officer.

2. The averments made in the affidavit filed in support of the writ petition would disclose that so far no orders are passed, as sought to be contended by the petitioners. Grievance would arise to the petitioners only if post is offered to Divisional Accounts Officer Grade-I, who, according to the petitioners, is below the rank of Assistant Pay and Accounts Officer and claim of the petitioners is actually not considered for promotion. Therefore, as of now, the grievance agitated by the petitioners is premature and no relief as sought for can be granted. The writ Court would exercise power of judicial review under Article 226 of the Constitution of India to test the validity of a decision taken by an authority acting on behalf of the State or its instrumentality only after a decision is taken and order is made by examining such decision as to whether it is in violation of the statutory mandate/rules/ regulations or contrary to the precedent decisions, within settled judicial review parameters. Thus, writ petition is dismissed as premature, granting liberty to the petitioners to work out their grievances as and when cause of action arises.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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