

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION (TR) No.330 OF 2017

DATED : 20.07.2017

Between :

M.Seetharavamma W/o.Srikanth,
Aged about 45 yrs, Mandal Parishad Development Officer,
Mandal Praja Parishad, Noothankal,
Nalgonda District, R/o.Noothankal.

.. Petitioner/Applicant

And

The Chief Executive Officer,
Z.P.P., Nalgonda -508 001 & others.

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is working as Mandal Parishad Development Officer. Based on the news reported in daily newspaper, petitioner was placed under suspension on 19.08.2008. However, on consideration of her explanation, the suspension was revoked by order dated 23.09.2008 and she was surrendered to Commissioner, Panchayat Raj & Rural Employment, for further posting, pending finalization of the disciplinary proceedings. After consideration of the explanation of the petitioner, the District Collector, Mahabubnagar ordered no further action required to be taken and by further orders dated 25.03.2009 dropped further action and treated the period of suspension from 19.08.2008 to 29.09.2008 as leave to which she was eligible. This order passed by the District Collector has become final and petitioner was posted to Karimnagar by order dated 06.03.2009. However, she did not report to duty and made a representation on 13.03.2009 to post her in Ranga Reddy or Nalgonda Districts. Petitioner was posted to Nalgonda District by order dated 13.05.2009. However, it appears there is some problem with reference to the place where she was posted and ultimately she was posted to Nutankal, where she joined on 01.01.2010. Petitioner filed O.A.No.1504 of 2013 before the Andhra Pradesh Administrative Tribunal, which O.A., is transferred to this Court, claiming that even though she requested for regulating the treatment of period from 19.08.2008 to

31.12.2009, no orders are passed and on account of delay in taking decision grave prejudice is caused to the petitioner.

3. In the counter affidavit, filed by the 1st respondent, it is asserted that petitioner did not join in the duty and she herself absented from duties. Therefore, she is not entitled for regulating the treatment of the period from 19.08.2008 to 31.12.2009 as claimed by her.

4. The record would disclose that no decision was taken by the competent authority on the representation submitted by the petitioner on 09.09.2011 to regularize the period mentioned in the said representation and the counter affidavit is also silent as to any decision is taken on the said representation of the petitioner.

5. Having regard to the fact that no decision is made and it is for the competent authority to regulate the period and express his opinion on merits, the writ petition is disposed of directing the Commissioner, Panchayat Raj & Rural Employment, State of Telangana, to examine the claim of the petitioner as ventilated in her representation dated 09.09.2011 and take a decision as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition (TR) shall stand closed.

P.NAVEEN RAO,J

20th July, 2017
Rds