

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.25955 of 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ order or direction especially one in the nature of writ of mandamus declaring that

- a) the action of the respondents in not making payment of salary to the petitioner from 15-09-2016 to 04-05-2017 as illegal, arbitrary and discriminatory and is violative of Articles 14, 16 and 21 of the Constitution of India.*
- b) Declare that the petitioner is entitled for payment of salary from 15-09-2016 to 04-05-2017 and regularization of the said period.”*

2. The case of the petitioner is that while he was working as Deputy Tahsildar, Julurpadu mandal, he was transferred to Palvancha vide proceedings, dated 30-07-2016. Even before his joining, one Sri P. Prasada Rao, who promoted as Deputy Tahsildar and posted at Palvancha vide proceedings, dated 12-08-2016, was joined at Palvancha, as such, the petitioners herein would not joined at Palvancha. But the petitioner herein was relieved on 14-09-2016 at Julurpadu directing him to report before SDC (LA), Palvancha. On 16-09-2016, the petitioner made a representation to the District Collector for his retention in the same place and the same was not considered by the respondents. Thereafter, on 05-10-2016 and 04-11-2016, the petitioner made

representations to the District Collector for posting as Deputy Tahsildar around Khammam as he was relieved on 14-09-2016. The respondent authorities again directed the petitioner herein to join at Palvancha of Bhadradi District vide proceedings, dated 04-05-2017. Meanwhile, the petitioner was promoted as Tahsildar vide proceedings, dated 07-06-2017 and allotted to Bhadradi Kothagudem District. Now, the grievance of the petitioner is that for the interregnum period from 15-09-2016 to 04-05-2017 he has not paid any salary and his services were not regularized. The petitioner is going to retire from service on 30-09-2017. Hence, the writ petition.

3. Heard learned Assistant Government Pleader for Revenue for respondents.

4. The grievance of the petitioner is that he was not paid any salary for the interregnum period from 15-09-2016 to 04-05-2017 and his services were not regularized for the post of Deputy Tahsildar.

5. In view of the same, this Court deems it appropriate to permit the petitioner to make fresh application before the competent authority for redressal of his grievance and the same be directed to be disposed of by the respondent authorities, in accordance with law, by fixing some timeframe.

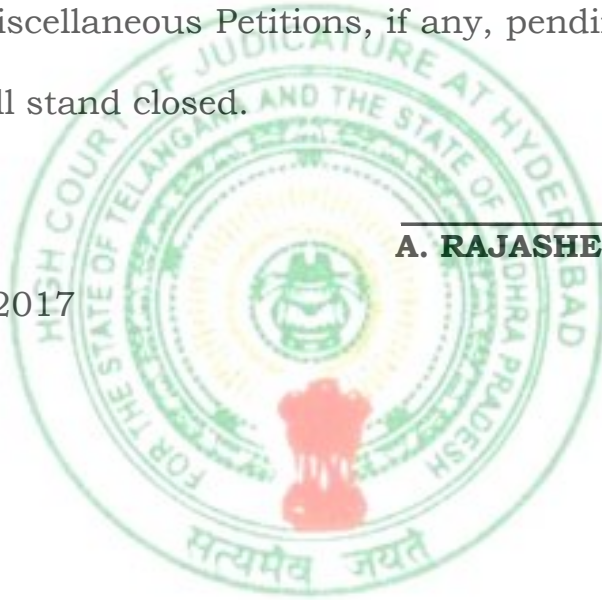
6. For the aforesaid reasons, the Writ Petition is disposed of, keeping it open to the petitioner to make appropriate application before the competent authority and as and when such application is filed the respondent authorities are directed to consider and dispose of the same, in accordance with law, within a period of four (4) weeks thereafter on making such application by the petitioner herein. There shall be no order as to costs

7. The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. RAJASHEKER REDDY, J

August 03, 2017

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