

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26291 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the inaction on the part of the respondents in disposing the petitioner's detailed representation, dated 03.10.2016, as illegal, arbitrary, unconstitutional and consequently direct the respondents to permit the petitioner to resume to duty as a Record Assistant and to treat the period w.e.f. 19.10.2006 till the date of petitioner resuming to duty as a Record Assistant as continuity of service for all other purposes and payment of earlier salary for rendered service of Rs.53,686/-, which was sanctioned to the petitioner and surrendered to the 3rd respondent as per Rc.No.241/Redeployment/ MAMGMJ CUMN/II, dated 13.03.2007.

2. Heard the learned counsel for petitioner and learned Government Pleader for Education for respondents 1, 3 & 6 and perused the material available on record.

3. The case of the petitioner is that the petitioner was initially appointed on 10.02.1985 as a Record Assistant in the 4th respondent college, which was un-aided section and subsequently, the 4th respondent college was admitted into grant-in-aid on 01.04.1994 and the petitioner's service was regularized with effect from 1994 and that the petitioner was working in 5th respondent college and due to sudden illness unexpectedly, the petitioner's legs and hands were not in control to work and the petitioner was under treatment for paraplegia depression disease and the petitioner was absent from duty w.e.f. 19.10.2016 and memo was issued to that

effect and the petitioner was asked to submit the explanation and the petitioner submitted his explanation of his disabledness and the petitioner requested the 5th respondent to transfer his case to the 3rd respondent through his letter, dated 10.03.2008, for grant of disability pension on medical grounds under abnormal conditions.

4. The main grievance of the petitioner is that the petitioner submitted a representation, dated 10.03.2008, to the respondent authorities, but so far, no orders are passed on the said representation and the same is pending with the respondent authorities.

5. Learned Assistant Government Pleader for Education appearing for the respondents submitted that the 3rd respondent has written to the Government for seeking permission for taking necessary action.

6. Taking into consideration the facts and circumstances of the case and the submissions of the learned Assistant Government Pleader for Education and since the representation of the petitioner ventilating his grievance is already pending before respondents 1 to 3, this Court is of the view that the writ petition can be disposed of with the following direction:

7. Respondents 1 to 3 are directed to consider the representation of the petitioner, dated 03.10.2016, and pass appropriate orders, as expeditiously as possible, in accordance with law, more preferably within a period of two (2) weeks from the date of receipt of a copy of this order.

8. 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: 16th August, 2017

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