

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITIONS No:28401, 29564, 29753, 29832 and 30219 of 2016

COMMON ORDER:

1. Since the issue involved in all these writ petitions is one and the same, these writ petitions are heard together and are being disposed of by this common order.

2. All these writ petitions are filed by the petitioners to declare the action of respondents Nos.1 and 2 in seeking to dispense with the services of the Law Officers, without making full fledged permanent appointment as illegal and arbitrary and consequently, to set aside the Circular memo No.863/421/G/2014, dated 28.5.2015 and the proceedings issued by the 2nd respondent on 17.8.2016 and 27.8.2016.

3. Brief facts of the case are as follows:

The petitioner in W.P.No.28401 of 2016 was appointed as Special Government Pleader for the 3rd, 4th and 5th Additional District Courts, Tirupathi, and the petitioners in other four writ petitions were appointed as Assistant Government Pleaders for the Junior Civil Judges' Courts in different places at Chittoor District. As the petitioners' term has come to an end, the District Administration informed them that they are calling for applications for empanelment and till such regular appointments are made, the petitioners can continue as Special/Assistant Government Pleaders. While so, the staff of Tahsildar concerned handed over the proceedings dated 17.8.2016, in which the circular memo dated 28.5.2015, was referred to. In the Circular, it was mentioned that the officers, who continued as Law Officers for a long period are identified and their services are dispensed with. Aggrieved by the same, the petitioners filed the above writ petitions.

4. While admitting the above writ petitions, this Court passed interim orders suspending the impugned proceedings and directing that the petitioners shall be allowed to continue as Special/Assistant Government Pleaders.

5. When these matters have come up for hearing, the learned Counsel for the petitioners fairly submitted that the petitioners continued as law officers even after completion of their term, but in view of the fact that no regular appointments have been made so far, only in the interest of the institution, the petitioners approached this Court seeking a direction to the authorities concerned to allow them to continue as Special/Assistant Government Pleaders till such regular appointments are made.

6. The learned Government Pleader submitted that the respondents are taking steps to appoint regular Special/Assistant Government Pleaders, and meanwhile, interim arrangements are made.

7. Considering the above submissions made by both the Counsel, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The respondents Nos.1 and 2 are directed to make regular appointments for Special/Assistant Government Pleaders as expeditiously as possible. Consequently, the interim orders passed by this Court in the above writ petitions in favour of the petitioners shall stand vacated.”

8. Accordingly, the Writ Petitions are disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Justice Raja Elango

Date: 20th June, 2017
Nn.

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20.06.2017

Nn.