

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21739 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the action of the respondents in not considering and passing orders on the representations made by the petitioner, the latest being dated 21.07.2016, regarding sanction of Additional Charge Allowance under the provisions of F.R.49, as illegal, arbitrary and unconstitutional being violative of Articles 14 & 16 of Constitution of India, and consequently direct the respondents to sanction and pay to the petitioner, the Additional Charge Allowance which is due to him, with interest, by passing orders on the representations of the petitioner.

2. Heard Sri S. Gopal Rao, learned counsel for petitioner and the learned Government Pleader for Higher Education for the respondents and perused the material available on record.

3. On 18.07.2017, this Court granted interim order in this writ petition, which reads as follows:

“Pending further orders, 2nd respondent shall consider petitioner's representation dt. 21/7/16 regarding payment of Addl. Charge Allowance claimed by the petitioner within two (2) weeks from today and communicate his decision to the petitioner.

Post the WP for “Admission” after three (3) weeks in ML.”

4. From the above said interim order, it is seen that the main prayer and the interim prayer in the writ petition are one and the same.

5. Learned counsel for the petitioner submitted that though this Court granted interim order on 18.07.2017, but the 2nd respondent has not taken any action on the representation, dated 21.07.2016, said to have been submitted by the petitioner and the same is pending.

6. Taking into consideration the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, this Court is of the view that the writ petition can be disposed of with the following direction:

The 2nd respondent is directed to consider the representation of the petitioner, dated 21.07.2016, and pass appropriate orders, as expeditiously as possible, in accordance with law, preferably within a period of two (2) weeks from the date of receipt of a copy of this order and communicate the said decision to the petitioner.

7. 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: 8th August, 2017

KL

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



WRIT PETITION No.21739 of 2017

Date: 8th August, 2017

KL