

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.1104 of 2009

ORDER:

Heard the learned Counsel for the petitioner Smt.B.V.Aparna Lakshmi, and none appeared for the respondents.

The case of the petitioner is that she was appointed as the Secondary Grade Teacher on 30.07.1984 in the Upper Primary School of the fourth respondent. Her case was recommended for regularization of service. It is her further case that she was appointed by duly following the procedure laid down in the rules and regulations. She also states that the first respondent issued G.O.Ms.No.75, dated 23.09.2002, granting permission to the competent authorities to fill up the grant-in-aid posts by considering the cases for absorption in the respective posts by duly following the seniority and qualifications. She completed nearly 24 years of service. Her case along with two others was kept pending for absorption on the ground that the District Educational Officer, vide his letter dated 20.10.2004, had not approved by referring the rules which were in vogue. In similar circumstances, when two Writ Petitions in W.P.Nos.3820 and 7769 of 2006 were filed, this Court disposed of the said Writ Petitions on 17.09.2008 pursuant to the directions contained therein. The present Writ Petition was filed pursuant to the said Writ Petitions.

This Court in W.P.Nos.3820 and 7769 of 2006 passed the following order in respect of the petitioners therein working in the fourth respondent educational institution:

“Therefore, the respondents are directed to consider, approving the proposals sent by District Educational Officer prior to 20.10.2004 and pass appropriate orders, as per law, within a period of (8) weeks from the date of receipt of this order and communicate the same to the petitioners.”

The petitioner states that her case also should be considered on par with the petitioners in W.P.Nos.3820 and 7769 of 2006.

In the circumstances, this Writ Petition is disposed of directing the respondents to consider the case of the petitioner for regularization in the regular grant-in-aid post and regularize her service even though she retired from service by now. If she is not entitled for consideration of her case on par with the petitioners in W.P.Nos.3820 and 7769 of 2006, appropriate reasoned order shall be passed and communicated to the petitioner.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

26.07.2017
vs