

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI*

WRIT PETITION No.34112 of 2016

ORDER: (per SK,J)

The petitioner is the applicant in O.A.No.5510 of 2012 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. He filed the said O.A. seeking a declaration that the action of the municipal administration authorities of the State and the Khammam Municipality in not considering his claim for appointment to the post of Electrician was illegal. By order dated 23.07.2015, the Tribunal dismissed the O.A. holding that as the municipality had not issued any notification proposing to undertake recruitment to the post of Electrician, the petitioner could not claim such appointment individually.

Sri K.Naganna, learned counsel for the petitioner, would contend that the municipality conferred benefit upon a similarly situated trainee, one Mohammed Raziuddin. He would further contend that the petitioner also was a trainee under the very same SJSRY scheme, whereunder Mohammed Raziuddin worked as a trainee and was given employment thereafter.

In so far as this aspect is concerned, the Tribunal noted that Mohammed Raziuddin was not made a party to the O.A. and if he was employed illegally by the Khammam Municipality, the petitioner could not ask for extension of such illegal benefit to him also.

Though we find no justification forthcoming from the municipality as to how it undertook regular employment of Mohammed Raziuddin, we are in agreement with the finding of the Tribunal that the conferment of illegal benefit on one individual would not entitle others similarly situated

to the same illegal benefit. There can be no claim for equality in this regard. We therefore find no ground to interfere with the order passed by the Tribunal.

The writ petition is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

JUSTI CE SANJAY KUMAR

JUSTI CE N.BALAYOGI

Date:09.03.2017

GJ

