

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4558 OF 2000

ORDER:

The writ petition is filed questioning the action of the respondents for not absorbing the petitioner as a watch man on regular basis as illegal and arbitrary.

It is the case of the petitioner that he worked as a watchman under the 2nd respondent-Corporation on daily wage basis from 01.03.1995 to 31.09.1997 at Jagtial and from 1.2.1997 onwards he has been working at SPM Jagtial Centre. However, the petitioner was shown to have worked through a Contractor by name M/s. Ekachakra Electrical Works at Karimnagar. It is the case of the petitioner that though he has been working since 1997 for more than five years and though he is being continued as a watchman on daily wages, petitioner's services were not being absorbed. When similarly situated persons approached this Court by filing W.A.No.1478 of 1999, a Division Bench of this Court by a judgment dated 15.10.1999 directed the respondent authorities to consider the cases of the appellants for absorption and regularisation as Watch and Ward/Security Guards within a period of three months from the date of the judgment. In those circumstances, the petitioner seeks a direction to the respondent authorities to consider his case to be absorbed into services by regularisation as a watchman.

A counter-affidavit is filed by the respondents categorically stating that in the office memo dated 10.04.1995, permission was granted to engage a watchman on daily wage basis at the rate of

Rs.30/- per day. However, there is no record with the department that the petitioner having been worked as a watchman. The allegation of the petitioner that the petitioner was appointed as a watchman by the respondent Corporation was specifically denied. It is also further stated that with effect from 01.02.1997, no candidates were being engaged on daily wage basis. In those circumstances, the respondent authorities prayed for dismissal of the writ petition.

Heard Sri G.V. Shivaji, learned counsel for the petitioner and perused the counter-affidavit filed by the respondent authorities.

As can be seen from the writ affidavit, it is clear that the petitioner was fair enough in categorically stating that the petitioner was engaged by a private contractor by name M/s.Ekachakra Electrical Works. In other words, the contention of the respondent authorities that the petitioner was not engaged by the respondent authorities stands confirmed. Inasmuch as the petitioner had not worked with the respondent authorities and was not appointed by the respondent authorities, the writ petition does not deserve any consideration. The judgment dated 15.10.1999 of the Division Bench of this Court in W.A.No.1478 of 1999, cited by the learned counsel for the petitioner has no application to the facts of the present case.

Accordingly, the writ petition is dismissed. However, it is made clear that in other respects, if the petitioner is entitled, it is left open for the petitioner to approach the respondent authorities seeking for employment in accordance with the Rules and Regulations of the respondent authorities. Further, on account

of the Andhra Pradesh State Reorganisation Act, 2014 wherever the respondents were stated as A.P. Transco, shall be treated as Telangana Transco. No order as to costs.

Miscellaneous Petitions, if any, in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:19.06.2017,
Gk.



THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM



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