

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.19722 OF 2017

DATED : 19.06.2017

Between :

V. Srinu S/o.Shakroo,
Aged about 32 yrs, Village Revenue Officer,
Kalvakurthi Village and Mandal,
Nagarkurnool District, Telangana State.

..

Petitioner

And

The Collector and District Magistrate,
Mahaboobnagar District at Mahaboobnagar & another

..

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is working as Village Revenue Officer and belongs to Scheduled Tribe Category. On 29.05.2017 a notification was issued enclosing the list of qualified village revenue officers for promotion as Senior Assistants consisting of 92 names. Notification calls for objections within seven days from the date of issue of notification of the entries made or not included. It appears petitioner along with few others submitted objections on 03.06.2017 followed by another objection on 05.06.2017. Alleging inaction on the objections filed and taking up promotions to the post of Senior Assistant category, this writ petition is filed.

3. A reading of the notification would show that it is only a provisional decision and objections are called by granting seven days time from the date of issuance of notification. Petitioner filed objections and as of now, no further steps are taken. Publishing the provisional list of qualified persons cannot be said as without competence and jurisdiction by the District Collector. Therefore, it is not vitiated on that ground. Petitioner may have cause of action, only when the objections are not properly considered and without dealing with the objections the list is finalised and promotions are taken up.

4. *Prima-facie*, balance of convenience is also considered to appreciate the contention of the petitioner. According to learned counsel for the petitioner, petitioner was appointed in the year 2012. The list enclosed to the notification dated 29.05.2017

contains the names of Village Revenue Officers appointed from the year 1987 to 2011. Therefore, they are not juniors to the petitioner. The list contains all the persons who are fully qualified for promotion or who are exempted from passing accounts test. Therefore, it cannot be said that they are not qualified. However, it is only a *prima-facie* view only for the purpose of considering the balance of convenience to grant orders at this stage and it is for the competent authority to consider and pass final orders on due consideration of objections.

5. It is further contended that there are vacancies meant for Scheduled Tribe category and petitioner is entitled under the said category. If what is stated by the petitioner is true, it is always open to the petitioner to ventilate his grievance for consideration for promotion against the vacancies earmarked for Scheduled Tribe category if such vacancies are not filled up. This Court is not inclined to interfere at this stage on that ground.

6. Thus, leaving it open to the petitioner to work out his remedies on his claims as and when cause of action arises, the writ petition is dismissed as premature. It is also made clear that all the issues are left open to the petitioner to be agitated in appropriate proceedings. There shall be no order as to costs.

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

19th June, 2017
Rds

P.NAVEEN RAO,J