

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26485 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 respondents 2 and 3 in not allowing the petitioner to perform duty as a driver in the Anantapur Municipal Corporation under 4th respondent Agency as illegal, arbitrary, violation of principles of natural Justice and violative of Articles 14, 16 & 21 of the Constitution of India and consequently direct respondents 2 and 3 to consider representation of the petitioner, dated 14.12.2016, to continue the services of the petitioner as a driver through the 4th respondent.

2. Heard Sri K. Narsi Reddy, learned counsel for petitioner, learned Government Pleader for Municipal Administration & Urban Development for the 1st respondent and Sri S.D. Goud, learned Standing Counsel for respondents 2 & 3 and with their consent, the writ petition is taken up for disposal at the stage of admission. Perused the material available on record.

3. The case of the petitioner is that the petitioner was appointed as a driver in the 2nd respondent Municipal Corporation as outsourcing employee through the 4th respondent in the year 2001 and that on 29.04.2015, an unlawful incident took place in the office of the Tahsildar, Rapthadu Mandal, and that on the letter addressed by the 3rd respondent, dated 16.06.2016, to the 4th respondent, the 4th respondent terminated the petitioner from the service on the ground that the petitioner was involved in the above said incident and that the petitioner submitted his explanation on 24.06.2015 to the 4th respondent that his participation in the alleged incident is not

correct and that on that day the petitioner was in duty along with other workers.

4. The main grievance of the petitioner is that though the petitioner submitted his explanation, dated 24.06.2015, to the 4th respondent, but the petitioner was not taken into service. The petitioner also submitted representation, dated 14.12.2016, to the 2nd respondent, but till now no orders are passed on the said representation.

5. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 2nd respondent to expeditiously dispose of the representation of the petitioner, dated 14.12.2016.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 2nd respondent to consider the representation of the petitioner, dated 14.12.2016, pass appropriate orders, as warranted by law and communicate the decision to the petitioner. 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

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