

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.27156 of 2006

ORDER:-

This writ petition, under Article 226 of the Constitution of India, is initially filed by the petitioners 1 to 8 seeking verbatim the following relief:-

“...issue a Writ of Mandamus declaring the action of the respondents in not sending the call letters pertaining to the interview to be conducted on 29.12.2006 and 30.12.2006 or any other date depriving the petitioners right to be considered as illegal, arbitrary and violating of principles of natural justice and consequently direct the respondents to permit the petitioners to attend the interview scheduled to be conducted on 29.12.2006 and 30.12.2006 or any other date by sending the call letters and pass such other order or orders...”

2. On 29.12.2006, this Court, while admitting the writ petition, passed the following interim order:-

“The Central Power Distribution Corporation, Andhra Pradesh, initially issued a notification dated 14.06.2006 and further issued revised notification in the month of November, inviting applications for appointment of Junior Lineman on yearly contract basis. As per the notification, applications were to be filed on or before 10.07.2006. It is the grievance of the petitioners that though they are qualified and applied within the stipulated time, they were not issued any call letters to consider their claims though similar such applicants were issued call letters to consider for appointment. It is submitted by the learned counsel though there is preference, notified for serving contract labourers, however, the petitioners cannot be deprived of very consideration. As much as it is stated that the petitioners are qualified and applied within the stipulated time, if that be so, respondents shall consider along with the eligible candidates for appointment to the post of Junior Lineman on yearly contract basis, subject to their possession of requisite qualifications and all other conditions notified and by following due procedure, which is made applicable for such appointments, pending further orders.”

3. In obedience to the aforesaid interim order of this Court, the respondents have taken action and called the petitioners for interviews and interviews were conducted on 30.12.2006. Thereafter, along with

some other selected candidates, the petitioners 2, 4, 6, 7 and 8 herein were appointed to the post of 'Junior Line Man' on yearly contract basis and they were also allotted to respective divisions and they are presently working. However, the same relief was not extended to the petitioners 1, 3, and 5 herein, as the matter is *sub judice* and as this writ petition is pending.

4. In the light of the aforestated facts, the learned counsel for the petitioners would submit that if the writ petition is disposed of with a direction to the petitioners 1, 3 and 5 herein to submit a representation for consideration of their cases, in strict accordance with the procedure established by law and on par with the petitioners 2, 4, 6, 7 and 8, whose cases were already considered, the grievance of the petitioners 1, 3 and 5 would also be redressed and such a course would meet the ends of justice.

5. On the other hand, Mr. M.Ravindra, the learned Standing Counsel for APEPDCL representing the respondents, while endorsing the said submission of the learned counsel for the petitioners, would submit that if representations are made by the petitioners 1, 3 and 5, the 3rd respondent would consider the same in strict accordance with the procedure established by law subject to the eligibility of the said petitioners for appointment and their possessing requisite qualifications and fulfilling other conditions.

6. Recording the submissions of the learned counsel for both the sides, this writ petition is disposed of directing the petitioners 1, 3 and 5 to submit representations to the third respondent herein/ Superintending

Engineer, Operation Circle, A.P.E.P.D.C.L., Srikakulam, within a period of three (03) weeks from the date of receipt of a copy of this order. The said respondent is further directed to consider the said representations of petitioners 1, 3, and 5, and pass appropriate orders in strict accordance with the procedure established by law, however, as expeditiously as possible and preferably within a period of one month from the dates of receiving such representations of the petitioners 1, 3 and 5 with regard to the appointment to the post of 'Junior Line Man' on yearly contract basis, on par with the other petitioners, i.e., petitioners 1, 2, 4, 6, 7 and 8 whose cases were already considered, subject however to the said petitioners possessing requisite qualifications and fulfilling the other required conditions for appointment

There shall be no order as to costs.

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

M. Seetharama Murti, J

20th April, 2017
Bvv