

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.11831 OF 2001

ORDER:

1. This writ petition is filed by the petitioner seeking to issue a writ of mandamus declaring the impugned proceedings dated 17.4.2000 as illegal and arbitrary, and consequently, to declare that the petitioner is entitled to be appointed as Technical Work Inspector with effect from 1.10.1996.
2. Heard Sri Bharat Shah, learned Counsel for the petitioner and Sri Sudhakar Reddy, learned Standing Counsel for the respondent.
3. It has been submitted by the learned Counsel for the petitioner that the petitioner was initially appointed as Work Inspector (Non-Technical) in the respondent-corporation and while the petitioner was working as such, the State Government issued G.O.Ms.No.212, dated 22.4.1994, wherein the State Government had taken a policy decision to regularize the services of those workers, who have completed five years of service as on 25.11.1993, and the said G.O.Ms.No.212, dated 22.4.1994 was also extended to the respondent-Corporation vide G.O.Ms.No.65, dated 8.8.1996, and accordingly, the respondent-Corporation regularized the services of the petitioner vide proceedings dated 23.8.1996 as Technical Work Inspector and thereafter, proceedings dated 11.10.1996 were issued, whereunder the respondent-Corporation decided to treat all the work Inspectors having the qualification of ITI as Technical Work Inspectors and to implement the regularization orders issued on 23.8.1996 with effect from 1.1.1996, and subsequently, the issue of conversion of the Work Inspectors, who possessed ITI (Fitter/Truber/Electrician), as Technical Work Inspectors, was examined by the Board in its 72nd meeting held on 29.12.1997 and in the said Board resolution, it was decided not to consider ITI (Fitter/Truber/Electrician) trade qualifications as equivalent to that of

Draftsman (civil) for the post of Technical Work Inspector, on account of which, the respondent-Corporation declined to treat the petitioner as Technical Work Inspector and cancelled the proceedings dated 11.10.1996, and passed the impugned order dated 17.4.2000 re-designating the petitioner as Work Inspector (Non-Technical) with effect from 1.10.1996, and challenging the same, the present writ petition is filed praying that the petitioner be absorbed as Technical Work Inspector instead of Non-Technical Work Inspector with effect from 1.10.1996.

4. The learned Standing Counsel for the respondent contends that since the petitioner is not having the requisite qualification to be considered for the post of Technical Work Inspector, the Board had taken a decision not to treat ITI (Fitter/Truber/Electrician) qualification as equivalent to Draftsman (civil) and accordingly, the proceedings dated 11.10.1996 were cancelled, and when the petitioner is not having requisite qualification, he cannot insist that he should be absorbed a Technical Work Inspector, and in view of the same, the writ petition is liable to be dismissed.

5. I have considered the rival submissions made by the parties. I am of the considered view that the Board had considered the issue and resolved not to treat ITI (Fitter/Truber/Electrician) qualification as equivalent to that of Draftsman (civil) and rejected the case of the petitioner. I do not see any illegality in the action of the respondent. The writ petition is devoid of merits.

6. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

12th December, 2017
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THE HON'BLE Mr. ABHINAND KUMAR SHAVILI



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