

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI**

WRIT PETITION NO.6343 OF 2016

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the applicant in O.A.No.6273 of 2014 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. His prayer therein was to declare the action of the authorities in allotting the officers, including himself, in the cadre of Deputy Collectors to the newly formed State of Telangana as well as the residuary State of Andhra Pradesh without preparing and issuing a final inter-se seniority list amongst the direct recruits and promotees in the cadre of Deputy Collectors as illegal. A consequential direction was sought by him to restrain the authorities from allotting the officers in the cadre of Deputy Collectors, including himself, to the new State of Telangana as well as the residuary State of Andhra Pradesh till preparation and issuance of a final inter-se seniority list in the cadre of Deputy Collectors amongst the direct recruits and promotees. A further direction was also sought by him to the authorities to allot the officers in the cadre of Deputy Collectors, including himself, to the new State of Telangana and residuary State of Andhra Pradesh only after preparing and issuing a final inter-se seniority list amongst the direct recruits and promotees in the said cadre. By order dated 15.02.2016, the Tribunal dismissed the O.A. Aggrieved thereby, he filed the present writ petition.

By order dated 26.02.2016, this Court took note of the fact that there was no final seniority list prepared in the cadre of Deputy Collectors and accordingly directed the authorities not to make final

allocation in the cadre of Deputy Collectors without finalizing the inter-se seniority list in the said cadre pending further orders.

One Mr. M.Venkateswarlu, Special Grade Deputy Collector, got himself impleaded, vide order dated 01.03.2017 passed in W.P.M.P.No.47766 of 2016 filed in this writ petition, as respondent No.9.

Sri L.Ravichander, learned senior counsel representing Ms. S.Pranathi, learned counsel for the ninth respondent, would state that the said Special Grade Deputy Collector is on the verge of attaining the age of superannuation in the State of Telangana and by virtue of the interim order granted by this Court, his allocation to the State of Andhra Pradesh as per his option is held up. Learned senior counsel would further state that once such allocation takes place, the ninth respondent would be in a position to continue in service up to the age of 60 years as that is the age of superannuation in the State of Andhra Pradesh.

W.V.M.P.No.3914 of 2016 was filed by the learned Government Pleader for Services (Andhra Pradesh) appearing for the authorities to vacate the order dated 26.02.2016.

It is now stated before us by all the learned counsel appearing for the parties that a provisional seniority list in the cadre of Deputy Collectors was prepared on 13.02.2017 and objections were called for from those aggrieved by their position in the said seniority list. The last date stipulated for receipt of the said objections was 03.03.2017. Learned Government Pleader states that the authorities would now finalize the seniority in the cadre of Deputy Collectors in accordance with the due procedure.

Sri P.V.Krishnaiah, learned counsel for the petitioner, would concede that as the prayer of the petitioner all along was that

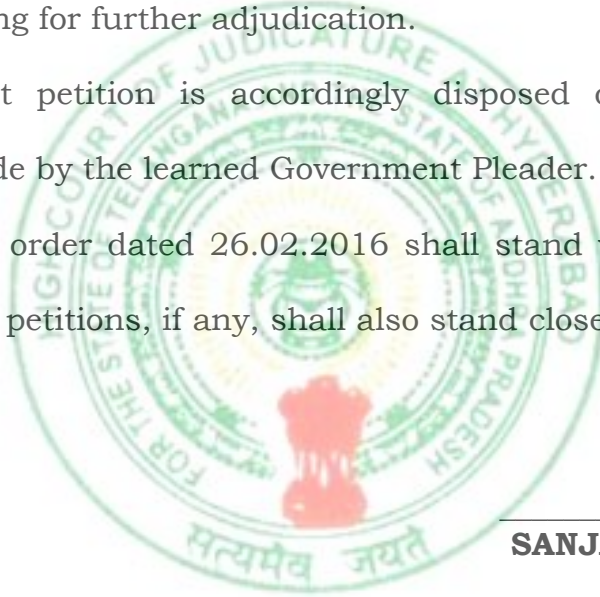
allocation should not be undertaken till the finalization of the seniority in the cadre of Deputy Collectors and as the authorities are now in the process of doing so, the cause in the writ petition does not survive. He would however state that the authorities may be directed to resort to allocation of members of the cadre to the two States only after finalizing the seniority.

Learned Government Pleader states that the authorities will take up allocation of members of the cadre only after finalizing the seniority list.

In that view of the matter, we see no reason to keep this writ petition pending for further adjudication.

The writ petition is accordingly disposed of recording the statement made by the learned Government Pleader.

Interim order dated 26.02.2016 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.



SANJAY KUMAR, J

N. BALAYOGI, J

30th MARCH, 2017
PGS