

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION (TR) No.234 OF 2017

Dated:04.07.2017

Between:

Ch. Nageswara Rao, S/o. Krishnamurthy,
Aged 44 years, working as Sanitary Jawan,
O/o. Dy. Commissioner, Rajendranagar
Circle No.6, Greater Hyderabad
Municipal Corporation, Hyderabad .. Petitioner

AND

The State of Andhra Pradesh, rep., by its
Secretary, MA and UD Department,
Secretariat Buildings, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION (TR) No.234 OF 2017****ORDER:**

Petitioner claims to be working as NMR, as a timescale worker, in the present Rajendranagar Circle No.6, which was earlier a separate municipality known as Rajendranagar Municipality. He was engaged for the first time by Rajendranagar Municipality on 01.03.1987. According to the petitioner, he has completed five years of service and was eligible for grant of regularization. The then Municipality sent proposals for filling up 93 supernumerary posts created for the purpose of regularization of daily wage/NMR and other category of employees in Rajendranagar Municipality. The proposals submitted to the Government, insofar as the petitioner is concerned, were rejected on the ground that as per the particulars furnished, the petitioner was found to be under-aged. However, on re-verification of the age of the petitioner, revised proposal was submitted and based on which the Commissioner and Director of Municipal Administration recommended to the Government vide his letter dated 01.05.2007 for acceptance of the earlier proposal for grant of regularization of the petitioner. Alleging inaction and continuing the petitioner in the same capacity, this Writ Petition is filed.

2. Since Rajendranagar Municipality is now merged into Greater Hyderabad Municipal Corporation (GHMC), the Commissioner and Deputy Commissioner of GHMC are arrayed as respondents. However, the fact remains that the proposals were submitted by the Commissioner of Rajendranagar Municipality

when it was in existence, whereas now it is not an independent Municipality and is a part of GHMC.

3. Having regard to this development, whether there is requirement of a post where petitioner can be regularized has to be independently considered by GHMC and it is for the GHMC to take a decision for grant of regularization, may be with the approval of the Government.

4. In view of the same, learned counsel for the petitioner seeks leave of the Court to make a representation to the Commissioner, GHMC, through the Deputy Commissioner, Circle No.6, Rajendranagar of GHMC, praying to grant regularization of the services of the petitioner.

5. Having regard to the said submission, the Writ Petition (TR) is dismissed granting liberty to the petitioner to make a representation to the Commissioner, GHMC, and if such representation is made, the Commissioner, GHMC, shall consider the same objectively having regard to the earlier proposals of the Commissioner and Director of Municipal Administration vide his letter dated 01.05.2007, and take appropriate decision, as warranted by law, within a period of six weeks from the date of receipt of such representation and communicate the decision to the petitioner. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition (TR) shall stand closed.

P. NAVEEN RAO, J

Date:04.07.2017

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