

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION (TR) NO.314 OF 2017

Date: 13.07.2017

Between:

C.Muralidhar Reddy, S/o C.Narayana Reddy,
Aged about 44 years, Unemployee,
R/o Chinnamaroor Village, Weepangandla Mandal,
Pebbair (Via), Mahabubnagar district.

..... Applicant /Petitioner

and

The District Collector, Mahabubnagar District,
Mahabubnagar and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims that his lands and house situated in Chinnamaroor Village, Weepangandla Mandal, Mahabubnagar District, were affected due to Srisailem Irrigation Project. Land acquisition awards were passed way back in the years 1976 and 1979 in the name of the father of petitioner. Government formulated a scheme of rehabilitation and providing employment for the family members of the displaced persons and notified vide G.O.Ms.No.98 Irrigation (PW) Department, dated 15.04.1986. In terms thereof, 50% of the vacancies have to be earmarked in the cadre of Junior Assistants and below the category of posts to the persons governed by G.O.Ms.No.98. Though petitioner was found to be suitable and his name was included in the eligibility list, so far appointment is not provided to him.

2. Heard Sri R.Rajasekhar Rao, learned counsel for petitioner and learned Government Pleader for Services-II (TG) for respondents.

3. Learned counsel for petitioner contends that there are large numbers of vacancies remained unfilled, earmarked for Scheduled Tribe candidates and even though for several years those vacancies are unfilled, they are not diverted to the open competition. It is contended that it is illegal to keep those vacancies idle and not to provide employment to deserving candidates. It is contended that the petitioner reached the age of 48 years and has been anxiously waiting for appointment and because of the delay in providing employment, grave injustice is caused to him.

4. The averments made in the counter-affidavit filed on behalf of the respondents, deposed by the Superintending Engineer, disclose that after conducting selection process, as required by G.O.Ms.No.98, list of eligible displaced persons was prepared. There are about 200 displaced family members, out of which 79 members were already appointed and there are 121 members yet to be appointed. In the list of 158 approved by the Government, name of the petitioner stands at Sl.No.135 and he would be considered as and when vacancies arise as per roster. With reference to the contention on diverting vacancies reserved for Scheduled Tribe candidates, it is stated that no such diversion can be made against statutory mandate.

5. Learned counsel for petitioner is satisfied with the statement made by the respondents in the counter-affidavit that petitioner's case is under consideration and he would be provided employment as and when vacancies arise as per roster.

6. Recording the said stand of the respondents, writ petition is disposed of, with direction to the respondents to provide employment to the petitioner as and when vacancies arise as per roster.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 13.07.2017
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