

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.9889 OF 2017

Dated:28.03.2017

Between:

V. Koti Ratnam, S/o. V. Sambasiva Rao,
Age 36 years, Occ: Electrician,
S/o. Sri Jagannadha Swamy,
Sri Anjaneya Swamy and Sri Venkateswara
Swamy Temples, Lalapet, Guntur
Town and District, Andhra Pradesh .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue (Endowments)
Department, Secretariat, Velagapudi,
Amaravathi, Guntur District and others .. Respondents



The Court made the following:

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ORDER:

This Writ Petition is filed for the following relief:

“... to issue a Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents 3 to 5 in discontinuation of the services of the petitioner as Electrician from 3rd respondent – Temple under coercion to give undertaking to handover charge in 5th respondent – Temple highhandedly in gross violation of order of this Hon'ble Court in W.P.M.P.No.20457 of 2010 in W.P.No.16234 of 2010, dated 09.07.2010, without following due process of law, in violation of principles of natural justice and offending Articles 14, 16 and 21-A of Constitution of India and consequentially direct the respondent Nos.3 and 4 to continue the petitioner, with back wages w.e.f. 30.11.2016 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. From the prayer in W.P.No.16234 of 2010, it is seen that on 08.06.2010 the Commissioner of Endowments Department granted permission to engage and utilise the services of Electrician on outsourcing basis only. This Court by order dated 09.07.2010 granted interim direction directing the respondents to allow the petitioner to continue to work as an Electrician pending disposal of the Writ Petition. In terms of the said order, the petitioner seems to be continued as Electrician.

3. There is no order of termination passed against the petitioner and he is trying to link this Writ Petition to an incident occurred on 28.07.2003 to contend that he has not been allowed to

continue by referring to an undertaking obtained on that day and such action is illegal.

4. As noticed above, the prayer sought for by the petitioner in the earlier Writ Petition is that he was not allowed to work as Electrician. If it is the case of the petitioner that earlier directions of this Court are violated, he has to work out his remedies as available in law against disobedience of the directions issued by this Court. Since as of now, there is no order of termination or discharge of the services of the petitioner, no independent Writ Petition is maintainable. Therefore, this Writ Petition is liable to be dismissed as premature.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his remedies as available in law. There shall be no order as to costs.

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

Date:28.03.2017

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P. NAVEEN RAO, J