

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER**

Writ Petition No.13929 of 2017

ORDER: (per Hon'ble the Acting Chief Justice Sri Ramesh Ranganathan)

Heard Dr.K.Lakshmi Narasimha, Learned Counsel for the petitioner, and Sri B.Narayana Reddy, Learned Assistant Solicitor General for the 1st respondent and, with their consent, the Writ Petition is disposed of at the stage of admission.

The petitioner is aggrieved by the order of the Government of India dated 25.01.2017 finally allocating him to the State of Andhra Pradesh. It is the petitioner's case that, though he opted for the State of Telangana, there was an error in up-loading information, and his application recorded as if he has not exercised any option. When objections were called for, after the tentative allocation, the petitioner had, by his letter dated 24.02.2016, sought to be allocated to the State of Telangana. However, the petitioner's representation was not considered and the order dated 25.01.2017 was passed.

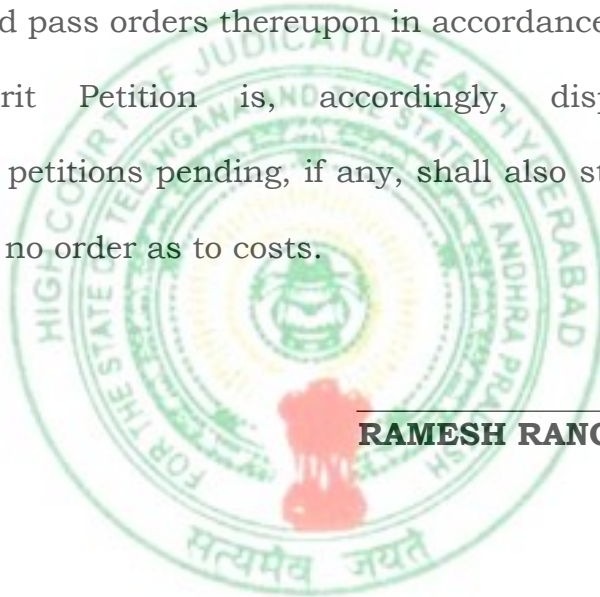
Section 77(3) of the A.P. Reorganisation Act, 2014, stipulates that every person, who is finally allotted under the provisions of sub-section (2) to a successor State, shall, if he is not already serving therein, be made available for serving in the successor State from such date as may be agreed upon between the Governments of the successor States or, in default of such agreement, as may be determined by the Central Government.

In terms of Section 77(3), the petitioner is now required to work in Andhra Pradesh though, in his objection to the tentative allocation, he had opted to work in the State of Telangana. Under the proviso to Section 77(3), the Central Government has been conferred

the power to review any orders issued by it under Section 77 which would include the order of final allocation under Section 77(3).

Instead of keeping the Writ Petition pending on the file of this Court, we consider it appropriate to permit the petitioner to submit a representation to the Central Government requesting them to review the earlier order in terms of the proviso to Section 77(3) of the A.P. Reorganisation Act, 2014. If any such representation is submitted within two weeks from today, the Union of India-1st respondent shall, at the earliest and preferably within a period of two months from the date of receipt of a copy of the petitioner's representation, consider his request and pass orders thereupon in accordance with law.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.



RAMESH RANGANATHAN, ACJ

Dr.SHAMEEM AKTHER, J

Date:19.04.2017.

Note:

Issue C.C. by 24.04.2017.

B/O

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