

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.42421 of 2017**

**ORDER:**

The petitioner was initially appointed as Class IV employee during the year 1985 and subsequently he was promoted as Junior Assistant on 07.01.1989 and further promoted as Senior Assistant with effect from 28.01.2008. But, on 08.05.2013 he sought for demotion from the post of Senior Assistant to Junior Assistant. Accordingly, orders were passed on 08.05.2013 by posting him as Junior Assistant in Medak District. Now he states that there is a vacancy in the post of Senior Assistant and he wants his case to be considered in the said vacancy. He submitted a representation and based on the said representation, the second respondent vide his letter dated 19.12.2015 sought clarification from the third respondent. When no clarification was issued by the third respondent, the petitioner submitted another representation on 06.09.2017 and when the same is not disposed of, he filed the present Writ Petition.

When this Court specifically asked about the right of the petitioner to be considered for promotion as Senior Assistant when he once declined the same, learned Counsel for the petitioner relied on the decision of the Division Bench of this Court in **G.Boyanna v. Registrar (Administration)**<sup>1</sup> and

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<sup>1</sup> 2009 (2) ALD 402 (DB)

submits that based on the said ratio, the claim of the petitioner can be considered.

In view of the above, this Writ Petition is disposed of directing the first respondent to consider the representation of the petitioner dated 06.09.2017 and dispose of the same in accordance with law, within a period of three months from the date of receipt of a copy of this order. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

13.12.2017  
vs



**(A.RAMALINGESWARA RAO, J)**