

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO**

WRIT PETITION (TR) No.6442 OF 2017

ORDER : (Per Hon'ble Sri Justice Sanjay Kumar)

O.A.No.3739 of 2016 filed by the petitioner before the Andhra Pradesh Administrative tribunal, Hyderabad, came to be transferred to this Court upon abolition of the said Tribunal in so far as the State of Telangana is concerned and was re-numbered as W.P.(TR) No.6442 of 2017. This transfer was necessitated by the fact that both the States of Telangana and Andhra Pradesh figured as respondents in this case.

The prayer of the petitioner was to direct the State of Andhra Pradesh and its Engineer-in-Chief, Public Health, to consider her representation dated 17.09.2013 for repatriation to Zone-V in the State of Telangana.

It appears that the petitioner earlier filed W.P.No.22893 of 2012, which came to be disposed of by a Division Bench of this Court by common order dated 21.11.2012 passed in W.P.No.13237 of 2012 & batch.

Perusal of the said order reflects that the Division Bench was of the opinion that even compassionate appointees could submit their representation to the Government for redressal of their grievance with regard to implementation of the Presidential Order and the Government Orders issued in the context thereof. The petitioner was admittedly appointed on compassionate grounds in Zone-V in the present State of Telangana prior to bifurcation of the erstwhile State of Andhra Pradesh. She was then sent to Zone-II in the present State of Andhra Pradesh. However, taking advantage

of the aforestated common order passed by the Division Bench of this Court, she made representation dated 17.09.2013 to the State of Andhra Pradesh seeking to be repatriated back to the State where she was appointed on compassionate grounds.

As the aforestated common order was passed at a point of time when the State of Andhra Pradesh was combined and the situation as on date is different, it would be necessary that the present States of Telangana and Andhra Pradesh both bestow their consideration to the representation dated 17.09.2013 made by the petitioner and take a joint decision thereon, as the authorities concerned of both States have to apply their mind to the said representation. The interest of justice would be sufficiently served at this stage by directing the State of Telangana and the State of Andhra Pradesh, along with their respective Engineers-in-Chief, Public Health Department, to consider the petitioner's representation dated 17.09.2013 in accordance with law and take a decision thereon jointly. The same shall be communicated to the petitioner in writing. This exercise shall be completed expeditiously and in any event not later than twelve weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

M. GANGA RAO, J

1st November, 2018
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