

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.38841 of 2015

ORDER:

This writ petition is filed seeking to issue a writ of mandamus, declaring the inaction of the respondents on the representation of the petitioner dated 19.01.2015, as illegal, arbitrary and violation of principles of natural justice and consequently to direct the respondents to appoint the petitioner as Senior Mate Post in Boyalagudem, Mahabubnagar District under the Mahatma Gandhi National Rural Employment Guarantee Scheme.

Heard Sri M.Saleem, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj, appearing for respondents Nos.1 & 2 and Smt.R.Padmarekha, learned standing counsel, appearing for respondent No.3.

It has been contended by the petitioner that he is native of Boyalagudem village, Gattu Mandal, Mahabubnagar District, and he is a registered member of the Rural Employment Guarantee Scheme which is undertaken by the respondents for providing employment guarantee to the people residing in rural areas. As per the enrolment, the petitioner is a senior most person, who is eligible to be appointed as Senior Mate, in terms of the Circular Memo, dated 05.11.2014. But the respondents in spite of the petitioner submitting a representation on 19.01.2015 have not considered the case of the petitioner for appointment to the post of Senior Mate.

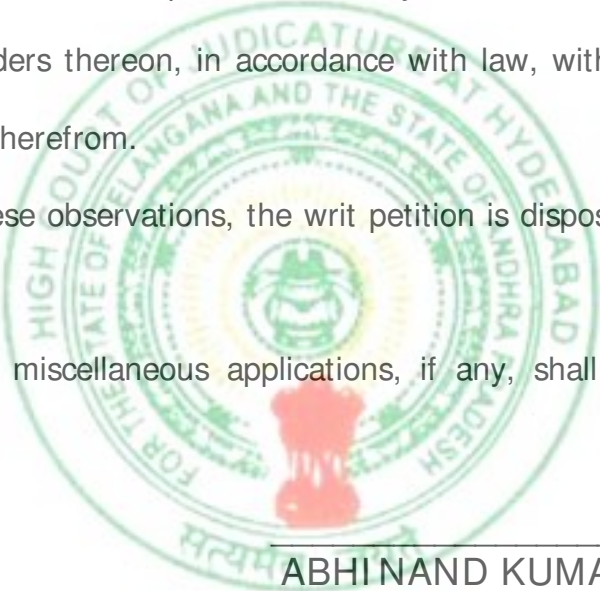
Learned Government Pleader for Panchayat Raj has submitted that the representation has been submitted to the M.P.D.O, but the competent

authority is the Project Director, D.R.D.O, and that since the petitioner has not submitted his representation to the competent authority, the case of the petitioner could not be considered.

This Court, having considered the rival submissions made by the parties, without expressing any opinion on the merits of the case, is of the considered view that the writ petition can be disposed of, directing the petitioner to submit a representation to the competent authority, i.e., to the Project Director, D.R.D.O, within a period of 2 (two) weeks from the date of receipt of a copy of this order, and upon receiving such representation, the competent authority shall consider and pass appropriate orders thereon, in accordance with law, within a period of 8 (eight) weeks therefrom.

With these observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.



ABHINAND KUMAR SHAVILI, J

Date: 25.04.2018
Dsr