

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.18852 of 2015

ORDER:

This writ petition is filed seeking to issue a writ of mandamus, declaring the action of respondent No.2 in issuing proceedings vide RC.No.3030/B4/2014, dated 21.02.2015, addressed to respondent No.3, requesting him to send specific remarks on the issue which is contrary to District Committee recommendations, as illegal and arbitrary, and consequently to direct respondent No.2 to consider the case of petitioners Nos.2 & 3 in respect of approval of the promotion to the posts of School Assistant notwithstanding the proceedings, dated 21.02.2015 and approve appointment of petitioners Nos.2 and 3 in the posts of School Assistant and pay the salary and other emoluments attached to the posts with effect from the date of their joining duty.

Heard Sri Deepak Bhattacharjee, learned senior counsel, appearing on behalf of Sri S.Lakshmi Kanth, learned counsel for the petitioners and the learned Government Pleader for School Education, appearing for the respondents.

It has been contended by the learned senior counsel that the 1st Petitioner School was established way back in 1971 as Upper Primary School and subsequently, it was upgraded to High School. The 1st petitioner school was admitted into Grant-in-Aid in 1972, and every since then, the 1st petitioner has obtained a decent reputation in the field of Academics in Warangal District. It has further been contended by the learned senior counsel that petitioners Nos.2 and 3 were initially appointed as Secondary Grade Teachers and the 1st petitioner has

submitted proposals to respondent No.2 seeking to promote petitioners Nos.2 and 3 as School Assistants. The proposals submitted by petitioner No.1 are still pending consideration before respondent No.2. Questioning the same, the petitioners filed the present writ petition.

Learned Government Pleader appearing for the respondents has contended that the case of petitioners Nos.2 and 3 would be considered as per Rules, strictly in terms of G.O.Ms.No.40, dated 18.06.2015 or under G.O.Ms.No.1, dated 01.01.1994.

This court, having considered the rival submissions made by the parties, is of the considered view that ends of justice would be met if the writ petition is disposed of, directing respondent No.2 to pass appropriate orders on the proposals submitted by the 1st petitioner for granting approval for promotion of petitioners Nos.2 and 3 as School Assistants, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

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: 01.05.2018
Dsr