

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.12906 of 2015

ORDER:

This writ petition is filed seeking to issue a writ of mandamus, declaring the action of respondent No.1 in issuing the impugned Memo No.SWC/E2/046/2014, dated 12.02.2015, proposing to retire the petitioner on 30.04.2015, as illegal, arbitrary and contrary to Act.4/2014, which is published in Government Gazette on 27.06.2014 and set aside the same, and consequently to declare that the petitioner is entitled to continue in service in the 1st respondent corporation till completion of 60 years of age, and to direct the respondents to continue the petitioner in service till he completes the age of 60 years with all consequential service benefits.

Heard Sri W.B.Srinivas, learned counsel for the petitioner, Sri K.Satyasrinivasarao, learned standing counsel for respondent No.1 and the learned Government Pleader for Cooperation.

When the matter is taken up for hearing, the learned counsel for the petitioner has brought to the notice of this court that the State Government had issued G.O.Ms.NO.138, Finance (HR.IV-FR) Department, dated 08.08.2017, as a policy measure to continue the employees of the 1st respondent Corporation upto the age of 60 years.

The learned standing counsel appearing for respondent No.1 has also not disputed the said G.O, and in fact, he has informed this court that the Board of Directors of the 1st respondent Corporation had passed a resolution adopting the said G.O.Ms.No.138, and sent it for approval to the State Government.

Since the issue in the present writ petition has been resolved by G.O.Ms.No.138, dated 08.08.2017, the petitioner is entitled to continue upto to the age of 60 years with all consequential benefits.

In view of the above, the writ petition is disposed of, directing the respondents to continue the petitioner in service in the 1st respondent Corporation till completion of age of 60 years with all consequential benefits, in terms of G.O.Ms.No.138, dated 08.08.2017. No order as to costs.

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

Date: 23.04.2018
Dsr

ABHINAND KUMAR SHAVILI, J

