

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.7612 OF 2004

ORDER

This writ petition is filed seeking the following relief:

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned Lr.No.SE/O/KDP/Adm/C2/F.77/D.No.13304, dated 19-02-2004 issued by the respondent No.2 whereunder rejecting the claim of the petitioner as illegal, arbitrary, violative of Articles 16 and 21 of the Constitution of India and consequently direct the respondents to appoint the petitioner to the post of Electrician/Lineman/Wireman/Helper or any other suitable post following the directions of this Hon'ble Court made in WPMP No.35520 of 1997 in W.P.No.30371 of 1997.”

Heard Smt S.V.Indira, learned counsel appearing for the petitioner and Sri N.Siva Reddy, learned Standing Counsel appearing for the respondent-Board.

It is the case of the petitioner that after completion of ITI course, he was selected for Apprenticeship in the former APSEB and underwent training as Lineman at various places. Though he has completed his Apprenticeship successfully for a period of two years, his case was not considered for regular employment. Hence, he filed W.P.No.30371 of 1997 before this Court and this Court on 19.11.1997 in WPMP No.35520 of 1997 directed the respondents to consider the case of the petitioner for the post of Lineman/Electrician/Wireman/Helper. In pursuance of the said direction, the case of the petitioner was

considered and rejected *vide* order dated 19.4.2004 on the ground that he is over aged. Challenging the same, the present writ petition is filed.

Learned counsel appearing for the petitioner contends that the respondents ought to have considered the case of the petitioner as on the date on which this Court granted interim direction, but they have considered his case belatedly and rejected the same on the ground that he is over aged; and that appropriate orders be passed directing the respondents to absorb the petitioner in any regular post.

Learned Standing Counsel appearing for the respondents contends that mere completion of Apprenticeship would not entitle the petitioner to secure employment on permanent basis; that pursuant to the interim order granted by this Court on 19-11-1997 in WPMP No.35520 of 1997, his case was considered and rejected *vide* order dated 16.4.2007; that at this point of time, the case of the petitioner cannot be considered and that the writ petition is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that the petitioner has completed his Apprenticeship in the year 1993 and at this length of time, his case cannot be considered. In pursuance of the interim direction granted by

this Court on 19-11-1997, his case was considered and rejected on the ground that he is over aged. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

30th November, 2018

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