

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15639 of 2015

ORDER:

This writ petition is filed seeking to issue a writ of mandamus, declaring the action of respondent No.3 in rejecting the applications of the petitioners, vide orders, dated 22.05.2015, in further proceeding to provide employment under Land Losers Stage-IV/RTTP under contract labour and further preparing the selection list of 75 persons under contract labour who are juniors to the petitioners, as illegal, arbitrary and violation of G.O.Ms.No.98, dated 15.04.1986, and consequently to direct the respondents not to proceed to fill up the posts under Land Losers Stage-IV/RTTP for providing contract labour as per the selection list prepared by the respondents.

Heard Smt.Pulipati Radhika, learned counsel for the petitioners, and Smt.K.Aruna, learned standing counsel for the respondents.

It has been contended by the petitioners that their lands were acquired for the purpose of Rayalaseema Thermal Power Project (for short "RTPP") and the State Government has come up with G.O.Ms.No.98, dated 15.04.1986, wherein the State Government has taken a policy decision to provide employment to such of those persons, who have lost their lands for the construction of RTTP. In pursuance to the said G.O and policy of the State Government, the respondents had issued a notification to fill up 50% of the vacancies to be filled with land losers. The petitioners had applied, but however, their cases were not considered. When their cases were not considered, the petitioners had filed W.P.No.5627 of 2015 challenging the action of the respondents in not providing employment to the petitioners, in accordance with G.O.Ms.No.98, dated 15.04.1986. This court, vide orders, dated 06.03.2015, has granted interim direction, directing the respondents to consider the cases of the petitioners for employment under land losers' quota . Pursuant to the said

interim orders, the respondent had passed a speaking order, rejecting the cases of the petitioners, vide proceedings dated 22.05.2015. Challenging the same, the present writ petition is filed.

Learned standing counsel for the respondents has contended that the respondents have not filled up the posts on regular basis, whenever regular vacancies arise, the cases of the petitioners will be considered strictly in accordance with G.O.Ms.No.98, dated 15.04.1986, and in respect of temporary employment is concerned, the respondents have given preference to such of those persons, who are residing in the villages of Kalamalla, Indlasiddayapalli and Sunnaparallapalli, which are situated surrounding to RTPP.

Having considered the rival submissions made by both the parties, this court feels that this writ petition can be disposed of, directing the respondents to consider the cases of the petitioners, whenever they intend to fill up the vacancies on regular basis, strictly in terms of G.O.Ms.No.98, dated 15.04.1986, and further, whenever the respondents proposed to fill up temporary vacancies on contract basis, the cases of the petitioners should be considered.

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: 20.04.2018
Dsr