

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5405 OF 2009

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 action of the respondents in not appointing the petitioner as Regular Services Conductor from the date of initial appointment appointed under the Employees died in harness cases direct recruitment violating the circular instructions of the APSRTC PD-63/1985, dt. 13.06.1985 referred in the guidelines in Circular No.135/1989 dt.18.10.1989 and not considering the representation of the petitioner dt. 22.12.2007 for regular employment as illegal, arbitrary and contrary to the law, consequently direct the respondents to appoint the petitioner as Regular Service Conductor from the date of initial appointment and transfer the petitioner to his native District i.e., 2nd respondent Region, and pass such other order or orders as this Hon'ble Court deem fit and proper.”

Heard Sri S.A.K.Mynoddin, learned counsel appearing for the petitioner, and Sri A.Ravi Babu, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioner that his father was an employee in the respondent-Corporation and while in service, he had expired. Hence, he submitted a representation to the respondent-Corporation to consider his case for appointment under bread-winner scheme. In pursuance thereof, the respondent-Corporation considered his case and appointed him as Conductor on contract basis. But, his services were not regularized so far.

Learned counsel appearing for the petitioner contends that though the services of the persons, who were appointed under bread-winner scheme were regularized, the case of the petitioner was not considered for regularization.

Learned Standing Counsel appearing for the respondent-Corporation contends that the case of the petitioner will be considered as and when regular vacancies arise.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that ends of justice would be met if a direction is given to the petitioner to submit a fresh representation.

Accordingly, the Writ Petition is disposed of directing the petitioner to submit a fresh representation to the respondents seeking regularization of his services within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass appropriate orders within a period of four weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

9th November, 2018
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