

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 15065 of 2003

ORDER:

This writ petition is filed by the petitioner seeking to issue a writ of mandamus directing the respondents 1 to 3 to absorb her in the aided S.G.T. post which has fallen vacant in the 4th respondent school since 1993, after taking into consideration G.O.Ms.No.301 dated 25.09.1997. A consequential direction is also sought to the 4th respondent to regularize the services of the petitioner by way of absorption and grant pay scale to her from September, 1993 onwards.

2. Heard Mr. J. Narayana Swamy, learned counsel for the petitioner, the Government Pleader for School Education appearing on behalf of the respondents 1 to 3, and Mr. K. Bathi Reddy, learned counsel for the 4th respondent.

3. It has been contended by the counsel for the petitioner that the petitioner is fully eligible and qualified to be appointed as a secondary grade teacher in the 4th respondent college and she was appointed on temporary basis on 20.07.1989. While she was working in the said college, an aided vacancy had arisen in 1993. Then, she made several representations to the respondents seeking to consider her case for absorption into the aided post. When her case was not considered by the respondents, she filed the present writ petition.

4. When the matter is taken up for hearing today, learned counsel for the petitioner has drawn the attention of this Court to

G.O.Ms.No.41, School Education (PS) Department, dated 30.06.2017, wherein the State Government had decided to absorb the unaided (approved) eligible candidates as on 23.09.2002 as one time measure into the vacant aided teaching posts subject to fulfillment of certain conditions. The learned counsel has contended that as the petitioner fulfilled all the conditions, her case should be considered in terms of the said G.O. The learned counsel submitted that the petitioner has retired on attaining the age of superannuation on 30.06.2018.

5. Be that as it may, the case of the petitioner can be considered in terms of G.O.Ms.No.41 dated 30.06.2017 wherein the State Government had taken a decision to absorb the unaided (approved) eligible candidates as on 23.09.2002. Admittedly, the petitioner was in service as on that date and she had fulfilled all the conditions as per the said G.O. Therefore, ends of justice would be met, if the writ petition is disposed of directing the respondents to consider the case of the petitioner for absorption into the aided post, in terms of G.O.Ms.No.41 dated 30.06.2017, and pass appropriate orders, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. Consequently, miscellaneous petitions if any pending in the writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

26th July, 2018
cbs

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(disposed of)

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