

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.27078 of 2014

ORDER:

The petitioner prays for a mandamus declaring the proceedings, dated 18.06.2014 *vide* C3/5308/2012-4 and the consequent notification, dated 18.06.2014, of the 1st respondent as illegal, unconstitutional and contrary to the order, dated 20.09.2013, in W.P.No.27351 of 2013; and, the order, dated 27.12.2013, of this Court in Rev.W.P.M.P.No.45648 of 2013. The petitioner further prays for a consequential direction for appointment to the post of School Assistant (Biological Science) with all consequential benefits.

2. I have heard the submissions of Sri J. Nagaraja Rao, learned counsel appearing for the petitioner, of the learned Special Government Pleader for Social Welfare appearing for the respondents 1, 2 & 4; and of the learned Government Pleader for Education appearing for the 3rd respondent. I have perused the material record.

3. At the hearing, learned counsel on either side stated that the issue raised in this writ petition is covered by the order, dated 04.04.2018, in W.P.No.22910 of 2014 and batch and that the said order was passed following the order of the Division Bench, dated 20.09.2013, in W.P.No.27351 of 2013. It is also submitted that following the said orders, this Court disposed of W.P.No.27115 of 2014 by an order, dated 06.06.2018.

4. Therefore, for the reasons alike as were mentioned in the afore-stated series of orders, this writ petition deserves to be allowed.

5. In the result and in view of the afore referred orders, particularly of the Division Bench, which had attained finality and which is followed by this Court in the batch of writ petitions and the other writ petition referred to supra, this Writ Petition is ordered in terms of the order of the Division Bench as follows: - 'The DSC and the appointing authority shall consider the case of the petitioner by treating the petitioner as Scheduled Tribe and native of Outsarangipalle village, Bejjur Mandal, Adilabad District and finalise the appointment within four (04) weeks from the date of receipt of a copy of this order. The appointment shall be given effect from the date on which others under the same DSC had been appointed for the purpose of seniority alone and not for emoluments and for other attendant benefits.'

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

13.06.2018

Vjl