

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 4923 of 2004

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the TTD Management in treating the petitioners as petty contract labour, as illegal and arbitrary. A consequential direction is also sought to the respondents to regularize the services of the petitioners in the existing vacancies in S.V.Dairy Farm, TTD, Tirupati from the date of their initial appointment with all consequential benefits.

Heard Sri V. Jagapathi, learned counsel for the petitioners, and Ms. Seshaveni, learned standing counsel for the respondent devastanam.

It has been contended by the petitioners they were appointed as Mazdoors in the respondent devastanam during 1989. It has been further contended by the petitioners that the services of some similarly situated persons were regularized ignoring their cases and that the respondent devastanam has extended the benefit of minimum time scale of pay to the petitioners. Their grievance is that their cases are not considered for regularization, though there are so many vacancies. To that effect, they rely on the proceedings dated 17.01.2004 of the respondents which demonstrates that there are 105 vacancies to be filled up, however, the respondents are not taking any steps to fill up those vacancies on regular basis. The same is challenged in this writ petition.

Learned standing counsel for the respondents has contended that the case of the petitioners was considered and the benefit of minimum time scale of pay was extended to them and that as and when the respondents take a policy decision, they will consider the case of the petitioners for regularization. He further contended that as on today, the respondents have not taken any policy decision to regularize the services of the petitioners and that there are no merits in the writ petition and the same is liable to be dismissed.

Having considered the rival submissions made by the parties and perused the record, this Court is of the considered view that the writ petition can be disposed of with a direction to the petitioners to submit a fresh representation to the respondents.

Accordingly, the writ petition is disposed of directing the petitioners to submit a fresh representation within two weeks from the date of receipt of a copy of this order and upon receiving such representation, the respondents shall consider the same as well as the earlier representations of the petitioners pending with them and pass appropriate orders thereon, within four weeks thereafter.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

27th November, 2018
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Writ Petition No. 4923 of 2004
(disposed of)

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