

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.19487 of 2009

ORDER

This writ petition is filed seeking a writ of mandamus declaring the action of respondents in not considering the representation of petitioner as ultravires, opposed to principles of natural justice and to direct the respondents to consider his long service of 21 years as Junior Lecturer and post him in any Government or private aided Junior College as Junior Lecturer in vocational courses as the D.L.B.Junior College, where he is working, is proposed to be closed.

2. Heard Sri S.V.R.Subrahmanyam, learned counsel for petitioner, learned Government Pleader for Higher Education for respondents 1 and 4, Smt Sindhu Kumari, learned Standing Counsel for respondents 2 and 3 and Sri P. Sri Raghu Ram learned counsel for respondent No.5.

3. Learned counsel for petitioner contended that the petitioner was appointed as Junior Lecturer in the 5th respondent Society on 13.06.1988 and worked in the said college without any complaints. He further contended that the 5th respondent College was closed and all the students studying in the said college were adjusted in nearby Educational Institutions. He further contended that the petitioner also submitted a representation on 07.01.2010, but the respondents have not passed any orders on the same for posting him in any other Aided Educational Institutions or colleges.

4. Learned counsel appearing for 5th respondent submitted that the case of petitioner was considered and appointed as Accountant and he has been discharging his duties as Accountant in the Accounts Section and at this point of time, his case cannot be considered for posting him as Junior Lecturer in any other Educational Institutions.

5. Learned Government Pleader for Higher Education contends that as the 5th respondent college was closed, the case of petitioner cannot be considered for allotment in any other Aided Educational Institutions and there are no merits in the writ petition.

6. This Court, having considered the rival submissions of both parties, is of the view that the writ petition can be disposed of, directing the respondents to consider the representation dated 07.01.2010 of the petitioner and pass appropriate orders in accordance with law, within eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

24th October, 2018

sj