

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.16023 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is therefore pray that this Hon'ble court may be pleased to issue writ or order more particularly one in the nature of writ of mandamus by declaring the action of the 5th respondent in issuing proceedings Rc.No.5197/2017/Dir.Rec dated 31.3.2018 appointing the petitioner as Cooperative Sub-Registrar in Zone-VI contrary to the decision of the 2nd respondent vide Circular Memo.No.808653/Ser-A/2017 dated 08.03.2018 as illegal, arbitrary, without jurisdiction and violative of Article 14 and 16 of the Constitution of India and consequently quash and set aside the same by holding that the petitioner is entitled to continue as Co-operative Sub-Registrar Zone-IV till the final decision is taken by the Hon'ble Supreme Court in the Contempt Cases and to pas such other orders as are necessary in the interests of justice.”

It appears that the proceedings dated 31.03.2018 of the Commissioner for Cooperation and Registrar of Cooperative Societies, Telangana, Hyderabad, the fifth respondent herein, were issued pursuant to an exercise undertaken prior to passing of the order dated 25.04.2018 by the Supreme Court in Contempt Petition (C) No.820 of 2017 along with M.A.No.284 of 2017 in C.A.No.5099 of 2016 and batch. By the said order, the Supreme Court clarified that only appointments made after G.O.Ms.No.124 dated 07.03.2002 are to be disturbed. The Supreme Court directed the Andhra Pradesh Public Service Commission to revise the list in

respect of all vacancies available and arising from 07.03.2002 and report compliance on 15.05.2018.

Sri C.Srinivasa Baba, learned counsel for the Andhra Pradesh Public Service Commission, would inform this Court that pursuant to the aforestated order, the Commissioner revised the list in respect of all vacancies available and arising from 07.03.2002 on 27.04.2018 on a provisional basis and called for objections from those affected thereby to be submitted on or before 03.05.2018. Learned counsel would state that in the light of this development, the proceedings dated 31.03.2018 issued by the Commissioner would not be given effect to in so far as the petitioner is concerned.

In the light of the aforestated developments and recording the statement of Sri C.Srinivasa Baba, learned counsel, the writ petition is disposed of leaving it open to the petitioner to submit her objections, if any, to the revised list dated 27.04.2018 within the time stipulated. Thereupon, the Andhra Pradesh Public Service Commission shall take action, if necessary, in accordance with law in so far as the petitioner's placement in the said list is concerned.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

SANJAY KUMAR, J

M. GANGA RAO, J

Date: 01.05.2018

Note:- Issue CC in two days.

(B/o)

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