

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No.15801 of 2002ORDER:

This writ petition is filed seeking a writ of mandamus, declaring the action of the respondents herein in not counting the service rendered by the petitioners at Ananthapur Division, for the purpose of seniority, and depriving their promotional chances, as arbitrary, illegal and contrary to the service regulations, and to set aside the seniority list, in the interests of justice.

2. Heard Sri S.K.Subhan, counsel for the petitioners and Sri A.Rama Rao, Standing Counsel for the respondents.

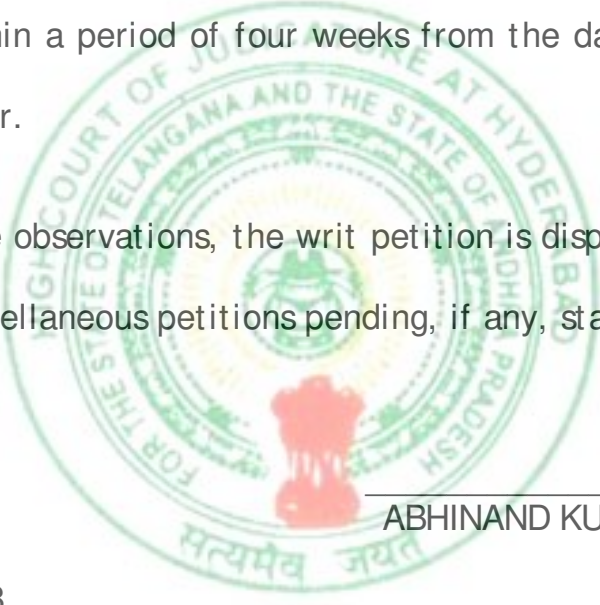
3. It has been contended by the petitioners that they were appointed as Casual Drivers in Ananthapur Division and while they were discharging duties in the said division, Ananthapur Division was bifurcated into Hindupur Division and Ananthapur Division, and petitioners were allotted to Hindupur Division, as they were juniors in the seniority list, and their services were counted from the date on which they were allotted to Hindupur Division. Now, the petitioners are contending that the service rendered by them in Ananthapur Division should also be counted for the purpose of seniority. To that effect, the petitioners have submitted a representation to the respondents on 10.04.2001, but, so far, the respondents have not passed any orders on the said representation.

4. The Standing Counsel appearing for the respondents has contended that at the request of the petitioners only they were allotted to Hindupur Division and whenever an employee is transferred at his request, he has to take the last rank in the seniority list, and hence, only the date on

which the petitioners were transferred to Hindupur Division has to be counted for the purpose of seniority, and the service rendered by them in Ananthapur Division cannot be counted for the purpose of seniority. The Standing Counsel further contends that there are no merits in the writ petition, and the same is liable to be dismissed.

5. As the representation submitted by the petitioners on 10.04.2001 is still pending and the respondents have not passed any orders on the same, this Court is of the considered view that ends of justice would be met if the writ petition is disposed of, directing the respondents to pass appropriate orders on the representation of the petitioners dated 10.04.2001, within a period of four weeks from the date of receipt of a copy of this order.

7. With these observations, the writ petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, stand closed.



ABHINAND KUMAR SHAVILI, J

Date: 01.11.2018
DMG