

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 11878 of 2014

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the 1st respondent in not absorbing the petitioner as Junior Assistant cum Typist while absorbing others and in not disposing of the petitioner's representation dated 21.12.2003, as illegal and arbitrary.

Heard Sri K.V. Rajasree, learned counsel for the petitioner, and Sri N. Bhoopal Reddy, learned standing counsel for the respondents.

It has been contended by the petitioner that he was appointed as Junior Assistant-cum-Typist on contract basis during 2001 and he was continued on the same terms and conditions upto 2005. While so, he was illegally terminated from service vide orders dated 31.05.2005. Thereafter, he made several requests to the respondents to consider his case for absorption as was done in the case of other employees. In fact, some of his juniors were absorbed in terms of Circular dated 24.02.2005. It has been further contended that he submitted a representation to the respondents on 21.12.2013 seeking to consider his case for absorption on par with similarly situated persons, but so far the respondents have not passed any orders thereon.

Learned standing counsel for the respondents has contended that the respondents have not terminated the services of the petitioner as alleged by the petitioner and the petitioner has abandoned the services on his own and therefore the petitioner is not entitled for

absorption, more particularly, in terms of Circular dated 24.02.2005 and there are no merits in the writ petition and the same is liable to be dismissed.

Having considered the submissions made by the learned counsel on either side, this Court is of the considered view that ends of justice would be met, if the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner.

Accordingly, the writ petition is disposed of directing the respondents to consider the representation of the petitioner dated 21.12.2013 and pass appropriate orders thereon within four weeks from the date of receipt of a copy of this order.

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

ABHINAND KUMAR SHAVILI, J

22nd November, 2018
cbs

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Writ Petition No. 11878 of 2014
(disposed of)

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