

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.21835 OF 2018

Dated:28.06.2018

Between:

K. Ganesh, S/o. K. Yadi Lal, age 49 years,
Occ: Excise Constable, Malkajgiri District
Task Force Excise Department, Ranga
Reddy District

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Prohibition and Excise,
Secretariat Buildings, Hyderabad and others

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioner is working as Excise Constable. He alleges that the 4th respondent, who is also working as Excise Constable, is now proposed to be promoted as Head Constable ignoring him. It is averred in paragraph No.3 of the affidavit filed in support of the Writ Petition that in the seniority list, petitioner's name is shown at Serial No.23 and the name of the 4th respondent is not shown in the seniority list and promotions upto Serial No.22 were already effected. According to petitioner, vacancy is arising due to retirement of existing Head Constable on 30.06.2018. Thus, the allegation as averred in Paragraph No.3 of the affidavit would show that steps are being taken to fill up the existing vacancy but no move is made.

3. Who is likely to be considered and how he is to be considered are matters to be decided by the competent authority. A person may have grievance only if he is ignored for promotion without any justification and some other person is promoted. Thus, even before promotion is taken up, petitioner cannot allege that the promotion is being granted to the 4th respondent and to file this Writ Petition to pre-empt the authorities from taking steps to fill up the existing vacancy. The Writ Petition is premature.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out the remedy available in law as and when

cause of action arises. No costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:28.06.2018

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