

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.17321 of 2003

ORDER

This writ petition is filed seeking a Writ of Mandamus, declaring the action of respondents in not regularizing the services of petitioner as Lecturer in Chemistry in the 4th respondent/college, as illegal and arbitrary after declaring paragraphs 9(5) and 13 of G.O.Ms.No.328, dated 15.10.1997 insofar as fixing the cut-off date for counting the eligibility for regularization and annulment of guidelines issued under the said G.O., after the period of six months as illegal and arbitrary, and consequently direct the respondents to regularize the services of petitioner as Lecturer in Chemistry in the aided vacancy of 4th respondent-College with all consequential benefits.

2. Heard Sri P.V.S.S.S.Rama Rao, learned counsel for petitioner and the learned Government Pleader for Education.

3. Learned counsel appearing for the petitioner contends that the petitioner was appointed as a Part-time Lecturer in Chemistry on 5.7.1999 in the 4th respondent-College and he has been discharging his duties as such; that though the Government has regularized several Part-time Lecturers, the respondents are not considering the case of the petitioner for regularization of his service and that this writ petition be allowed and the petitioner

be absorbed into an aided vacancy of Lecturer in Chemistry in the 4th respondent/college.

4. Learned Government Pleader appearing for respondents contends that the petitioner was not appointed in accordance with Rules and he is working only as a Part-time Lecturer and he is not entitled for absorption into aided service.

5. This Court, having considered the rival contentions of the parties, is of the considered view that this writ petition can be disposed of directing the 4th respondent-College to submit proposals if the petitioner is working as on today, to the 1st respondent, and on receiving such proposals, the 1st respondent shall consider the same and pass appropriate orders in accordance with Rules.

6. With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

22nd November, 2018
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