

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION NO.32961 OF 2011**

**ORDER:**

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of respondents Nos.1 and 2 in not regularizing the services of the petitioner as aided lecturer in Botany in the 3<sup>rd</sup> respondent-college or in any other needy colleges on par with the other lecturers whose services are already regularized, as illegal and arbitrary, and consequently, to declare that the petitioner is eligible for regularization of his services.

2. Heard Sri Goalla Seshadri, learned Counsel appearing for the petitioner and learned Government Pleader for Higher Education appearing for the official respondents.

3. It is the case of the petitioner that pursuant to the notification dated 14.3.1995 issued by the 3<sup>rd</sup> respondent-college, he applied for the post of Lecturer in Botany. After undergoing selection process, he was selected and appointed. Initially, he was appointed as Lecturer in Botany in the 3<sup>rd</sup> respondent-college vide proceedings dated 4.7.1995, and his appointment was approved by the University. Since then, he is discharging his duties. While so, the State Government introduced a scheme for posting unaided lecturers in the needy

colleges wherever the aided posts are vacant. Several candidates were accommodated in the above said scheme. The petitioner along with other similarly situated persons submitted several representations to the respondents from the year 2000 to consider his case and to accommodate him as aided lecturer, but the respondents have not passed any orders thereon. The competent authority has neither passed order nor absorbed the petitioner into aided vacancy.

4. Learned Government Pleader appearing for the official respondents submits that the petitioner was not selected through duly constituted committee; that he was appointed contrary to the rules; that the competent authority has not approved the appointment of the petitioner and that there are no merits in the writ petition and the same is liable to be dismissed.

5. Having regard to the said submission, this Court is of the considered view that ends of justice would be met if a direction is issued to the 3<sup>rd</sup> respondent-college to submit fresh proposals to the official respondents.

6. Accordingly, the Writ petition is disposed of directing the 3<sup>rd</sup> respondent-College to submit fresh proposals to the official respondents, if the petitioner is continuously working as Lecturer in aided vacancy, within a period of one week from the

date of receipt of a copy of this order. On receipt of such proposals from the 3<sup>rd</sup> respondent-College, the official respondents shall consider the same and pass appropriate orders by duly taking into consideration the orders passed by this Court in W.P.No.14482 of 2006, dated 14.2.2011 and also in W.P.No.20036 of 2003, dated 13.10.2013, and in accordance with Rules, within a period of eight weeks thereafter. No costs. Miscellaneous petitions, if any, pending shall stand closed.

---

**JUSTICE ABHINAND KUMAR SHAVILI**

*13<sup>th</sup> December, 2018*  
*Nn*



**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**



**Dated: 13.12.2018**

Nn