

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.28517 OF 2018

Dated:17.08.2018

Between:

Y. Ananda Rao, S/o. Chinna Rosaiah,
Aged about 54 years, Panchayat Secretary
Grade-II, Gram Panchayat Karankote,
Thandur Mandal, Vikarabad District .. Petitioner

And

The Collector (Pt.Wing), Medchal-Malkajgiri
District, Keesara and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28517 OF 2018

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader.

2. Petitioner is working as Panchayat Secretary, Grade-II. He was placed under suspension by order dated 10.11.2016. The suspension was revoked by the proceedings dated 15.03.2018 and by proceedings dated 10.04.2018 petitioner was posted to Gram Panchayat Gagillapur of Qutbullapur Mandal, against the Panchayat Secretary, Grade-I vacancy and he joined in the said post in May, 2018. While so, by the impugned proceedings dated 15.06.2018 the 6th respondent is posted in the place of petitioner and in turn petitioner is transferred and posted to Gram Panchayat Karankote of Tandur Mandal, Vikarabad District.

3. According to learned counsel for the petitioner, there is no justification to disturb the petitioner within a short time. It is not the case of the respondents that there are no vacancies in Grade-I to accommodate the promoted candidate. Further there are several others who are working in Grade-I post, though they belong to Grade-II or lower than Grade-II since long time. He would therefore, submit that it is arbitrary and discriminatory to shift the petitioner while retaining others.

4. It is not in dispute that petitioner belongs to Panchayat Secretary, Grade-II cadre and he is entitled to be posted in Grade-II. It is not in dispute that the 6th respondent was promoted and he is entitled to be given posting of promotion in Grade-I vacancy.

5. Learned counsel for the petitioner also fairly submits that the incumbent has joined in the place of posting and petitioner was relieved. He further submits that ventilating his grievance petitioner submitted a representation to the Commissioner for Panchayat Raj and Rural Employment - 3rd respondent on 10.07.2018 requesting him to give a suitable posting.

6. No positive direction can be issued, more so, when the ban is reintroduced by the Government.

7. The Writ Petition is disposed of directing the Commissioner for Panchayat Raj and Rural Employment, the 3rd respondent, to consider the representation dated 10.07.2018 of the petitioner for posting at an appropriate place as Panchayat Secretary Grade – II and pass orders within a period of four weeks from the date of receipt of a copy of the order. Pending miscellaneous petitions, if any, shall stand closed.

Date:17.08.2018

Note:- Issue C.C. in two days.

(B/o)
KH

P.NAVEEN RAO, J