

WRIT PETITION No. 28813 of 2018

Date : 16.8.2018

Between:

P Nancharlu S/o Mallikarjuna
Aged 25 years Occ Shift Operator
R/o Reddypalem Street
Kothapatnam Village Kothapatnam
Mandal Prakasam District

Petitioner

And

Andhra Pradesh Southern Power Distribution Company of Andhra
Pradesh Limited APSPDCL
Rep by its Chairman and Managing Director Tirupathi Chittoor
District and others

Respondents

The Court made the following:



ORAL ORDER:

Heard learned counsel for petitioner and learned standing counsel for respondents-APSPDCL.

2. This writ petition is filed alleging that respondent company is not allowing the petitioner to discharge the duties and responsibilities as Shift Operator in the Electrical Sub-Station at Rajupalem village, Kothapatnam mandal, Prakasam district.

3. When the matter is taken up, learned standing counsel for respondent company pointed out that petitioner is not employed by the respondent company but he was employed by 6th respondent to whom contract was awarded. He points out that no appointment order or proof of payment of wages by the respondent company is filed. He therefore points out that if petitioner has grievance against his employer/6th respondent, remedy is elsewhere and writ petition is not maintainable.

4. With reference to above objection, when specifically pointed out, learned counsel for petitioner fairly submitted that he does not have any proof to show that petitioner was employed by the respondent company but assertion is made in the affidavit filed in support of the writ petition that he is employee of the respondent company and working in the respondent company and sought to rely on identity card issued by respondent company.

5. Identity card is for the purpose of entry into the respondent company. Apparently, no proof is available with the petitioner to show that he is employed by the respondent company. In the absence of any material to show that petitioner is employed by respondent company, relief sought in the writ petition to direct the respondent company to allow the petitioner to discharge the duties, cannot be granted. Thus, leaving it open to the petitioner to workout his remedies as against his employer/6th respondent, writ petition is dismissed. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 16-08-2018

HONOURABLE SRI JUSTICE P. NAVEEN RAO



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