

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23183 of 2010

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking to issue writ of Mandamus directing the respondents to reinstate the petitioner into service forthwith.

2. Heard learned counsel for the petitioner and the learned Standing Counsel for the respondents.

3. It has been contended by the learned counsel for the petitioner that the petitioner was initially appointed as Village Electrical Worker during the year 1987 and worked up to 1998; that thereafter, the petitioner fell ill upto March, 2003 and after recovery, he joined duty and worked from 02.05.2003 to 11.07.2009 in Padira Grampanchayat as Village Electrical Worker; that on 11.09.2009, the Sarpanch of said Padira Grampanchayat addressed a letter to the 1st respondent to appoint the petitioner as Village Electrical Worker and 1st respondent also unanimously passed a resolution on 02.05.2003 by appreciating the service of the petitioner and the said Grampanchayat also issued a Certificate in this regard; that the Chief Engineer has issued a Memo on 25.10.2004, wherein regularizing Contract Junior Lineman from Village Electricity Workers on completion two years service; that on 31.07.2006, the 2nd respondent issued G.O.Rt., dated 31.07.2006, by ratifying the action of the Commissioner for Cooperation and Registrar Cooperative Societies, Hyderabad, by permitting the 1st respondent for appointing the Village Electricity Workers as Junior Lineman on contract basis and thereby 1st respondent issued proceedings on 03.11.2006 for appointment of

Village Electricity Workers as contract helpers on yearly contract basis; that though the petitioner has rendered his service as Village Electricity Workers in the 1st respondent organization since 15.05.1987 to December, 1998 and again from 02.05.2003 to 11.07.2009, the respondents have not reinstated the petitioner into service and that the petitioner has also submitted a representation on 02.03.2010 to the respondents to reinstate him into service as Junior Lineman. But, so far no orders are passed on the said representation.

4. Respondent No.1 filed counter-affidavit stating that the petitioner has approached the respondents nearly after 13 years for re-engagement as Junior Lineman.

5. This Court, having considered the rival contentions made by both parties, is of the considered view that ends of justice would be met if the respondents are directed to re-consider the case of the petitioner for engaging as Junior Lineman or any other suitable post in accordance with the rules.

6. Accordingly, the Writ Petition is disposed of directing the respondents to re-consider the case of the petitioner as Junior Lineman or any other suitable post, in accordance with the rules, within a period of four (4) weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

OCTOBER 25, 2018

YVL

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



WRIT PETITION No.23183 of 2010

Date:25.10.2018

YVL