

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.24994 of 2015

ORDER:

This writ petition is filed seeking to issue a writ of mandamus, directing the respondents to consider the case of the petitioner for appointment to the post of Junior Plant Attendant taking into account the qualification and eligibility, as per G.O.Ms.No.98 Irrigation (Projects Wing) Department, dated 15.04.1986, and also as per the recommendations of the District Selection Committee, vide their Ref.No.A3/1109/2011, dated 10.02.2014 under Land Losers Quota, as the petitioner's name stands at Sl.No.235.

Heard Sri P.Ravi Shanker, learned counsel for the petitioner and Smt.K.Aruna, learned standing counsel, appearing for the respondents.

It has been contended by the petitioner that his land was acquired by the respondents for the purpose of Rayalaseema Thermal Power Project Stage-IV and accordingly an Award No.32/2012, dated 14.02.2012 was passed. The State Government issued G.O.Ms.No.98, dated 15.04.1986, taking a policy decision to provide employment to such of those persons, who have lost their lands in acquisition by the Government for the purpose of construction of Rayalaseema Thermal Power Project Stage-IV. In pursuance to the said G.O and policy of the State Government, the respondents had issued a notification to fill up 50% of the vacancies with land losers. It has further been contended by the petitioner that his name was considered by the District Selection Committee, but his name was placed at Sl.No.235, and the respondents had assured him that as per the seniority, his case would be considered as and when vacancy arises. It has further been contended that contrary to the selection list prepared by the District Selection Committee, some of the juniors of the petitioner were selected and they were given appointment orders ignoring the petitioner. Challenging the same, the present writ petition is filed.

Learned standing counsel for the respondents has contended that the respondents have not filled up the posts on regular basis, and whenever regular vacancies arise, the case of the petitioner will be considered strictly in accordance with G.O.Ms.No.98, dated 15.04.1986.

Having considered the rival submissions made by both the parties, this court is of the considered view that the case of the petitioner shall be considered by the respondents for appointment under Land Losers Quota, more so, when the District Selection Committee has identified the petitioner as one of the beneficiaries, in terms of G.O.Ms.No.98, dated 15.04.1986.

In view of the above, the writ petition is disposed of, directing the petitioner to make a representation to the respondents requesting them to provide employment under Land Losers Quota, in terms of G.O.Ms.No.98, dated 15.04.1986, within a period of 2 (two) weeks from the date of receipt of a copy of this order, and upon receiving such representation, the respondents shall consider the representation and pass appropriate orders thereon, in terms of G.O.Ms.No.98, dated 15.04.1986, within a period of 8 (eight) weeks therefrom. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI,J

Date: 01.05.2018
Dsr