

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.45552 of 2018

ORDER

This writ petition is filed seeking the following relief:

“...to issue writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not regularizing the services of the petitioners as per G.O.Ms.No.212, dated 22.4.1994, as void illegal, arbitrary, discriminatory, unconstitutional and consequently direct the respondents to regularize the services of the petitioners w.e.f., the date of completion of 5 years of service from the cut off date prescribed in G.O.Ms.No.212, dated 22.4.1994 as Bore Mechanic/Attender/Line Men by taking into consideration of the orders passed in O.A.No.4966/2000, dated 3.1.2013 of the Hon'ble A.P.Administrative Tribunal and also by taking into consideration of the orders passed in writ petitions in W.P.No.33936 of 2011 and batch dated 2.5.2018 and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

Heard learned counsel appearing for the parties.

It is the case of the petitioners that they were appointed on NMR basis in the 4th respondent-Municipality on 10.04.1988 and they had completed more than 5 years of service and are fully eligible and qualified to be regularized in terms of G.O.Ms.No.212, dated 22.04.1994. The grievance of the petitioners is that though they have completed more than 30 years of service, their cases are not being considered for regularization. Therefore, counsel for petitioners contend that appropriate orders be passed in the writ petition directing the 1st respondent to regularize the services of petitioners.

Counsel for petitioners further contend that this Court, in similar circumstances, was pleased to dispose of W.P.No.39548 of 2018 on 02.11.2018, directing the respondents therein to regularize the services of petitioners therein by duly taking into account the judgment rendered by the Hon'ble Supreme Court in *B.Srinivasulu v. Nellore Municipal Corporation* {Civil Appeal No.6318 of 2015, dated 17.08.2015} and also the orders passed by this Court in W.P.No.33936 of 2011 and batch, dated 02.05.2018 and pass appropriate orders within a period of Eight weeks from the date of receipt of a copy of said order. Counsel for petitioners submits that the petitioners are also identically placed and contend that this writ petition be also disposed of directing the respondents to regularize the services of petitioners in terms of the orders passed in W.P.No.39548 of 2018, dated 02.11.2018.

Learned Government Pleader appearing for respondents contend that the cases of the petitioners will be considered in terms of G.O.Ms.No.212, dated 22.04.1994.

This Court, having considered the rival submissions of the parties, is of the considered view that this writ petition can be disposed of directing respondent No.4 to submit fresh proposals for regularization of the services of petitioners, if the petitioners are continuously working as on today, to the 1st

respondent within two weeks from the date of receipt of a copy of this order, and upon such proposals being received, the 1st respondent shall consider the same and pass appropriate orders, by duly taking into account the judgment of the Hon'ble Supreme Court in *B.Srinivasulu v. Nellore Municipal Corporation* {Civil Appeal No.6318 of 2015, dated 17.08.2015} and also the orders passed by this Court in W.P.No.33936 of 2011 and batch, dated 02.05.2018, within a period of Eight weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

15th December 2018
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