

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.45479 OF 2018

ORDER

This writ petition is filed seeking the following relief:

“...to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing proceedings dated 29.01.2018 in not continuing the petitioner in the post of Typist consequent to completing Typewriting Higher Examination both in Telugu and English as illegal and consequently set aside the proceedings dated 29.01.2018 and direct the respondents to continue her in the post of Typist and pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case.”

Heard Sri G.Ravi Mohan, learned counsel appearing for the petitioner, learned Government Pleader for Services-I appearing for respondents 1 and 2 and Sri G.Narender Reddy, learned Standing Counsel appearing for respondents 3 and 4.

It is the case of the petitioner that while working as Hindi Pandit at Zilla Parishad High School, her husband had expired on 16.8.2010. Thereafter, she submitted a representation to consider her case for appointment on compassionate grounds. The respondents have considered her case and appointed her as Typist *vide* proceedings dated 14.6.2011. Since she was not having a qualification of Type Writing in English, the respondents have put a condition to the effect that she should acquire the requisite qualification within a period of two years. Owing to various difficulties and

other problems, she could not acquire the said qualification within the stipulated period. Thereafter, the respondents have extended the condition of acquiring qualification by another two years. In spite of further extension, she could not secure the same. In those circumstances, the respondents have issued the impugned proceedings on 29.1.2018 reverting her to a lower post of Office Subordinate. Hence, the present writ petition.

Learned counsel appearing for the petitioner submits that the petitioner is a widow, having small children, she has to look after them and owing to various difficulties, she could not acquire the qualification within the stipulated time; that petitioner was on medical leave from the date of issuance of reversion order; that since the petitioner had acquired the qualification in August, 2018, she submitted a representation to the respondents on 6.10.2018 to consider her case sympathetically and continue her as Typist by setting aside the reversion order dated 29.01.2018; and that the respondents have not considered the said representation and not passed any orders so far.

Learned Government Pleader as well as learned Standing Counsel appearing for the respondents contends that in spite of giving sufficient time, the petitioner has not

acquired the qualification within the stipulated period; that the petitioner has no legal right to continue as Typist and that the respondents have rightly passed the reversion order.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that ends of justice would be met if a direction is given to the respondents to consider the representation submitted by the petitioner on 6.10.2018.

Accordingly, the Writ Petition is disposed of directing the respondents to consider the representation submitted by the petitioner on 6.10.2018 and pass appropriate orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

15th December, 2018
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