

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.1246 of 2019

ORDER:

This writ petition is filed seeking Writ of Mandamus, declaring the action of the Respondents in not considering the request of the petitioner to rectify the place of nativity i.e. from Nalgonda district to Nizamabad district and considering the petitioner as a non-local of Nizamabad district and proceeding the recruitment of Junior Lineman (JLM) posts in the Respondent Corporation, causing imminent loss of job opportunity to the petitioner in the ongoing interviews for JLM as arbitrary, illegal, discriminatory, besides violative of Articles 14, 21 and 300-A of the Constitution of India.

2. Heard Sri S.Chakrapani, learned counsel for the petitioner and Mr.Zakir Ali, learned Standing Counsel for Respondent Corporation.

3. According to the petitioner, he is fully eligible and qualified for the post of Junior Lineman and while the matter stood thus, the Respondents issued a notification dated 16.2.2018 for filling up the posts of Junior Lineman. The petitioner responded to the said notification and filled in the online application on 16.3.2018 for the post of Junior Lineman. While filling up the online application, the information in respect of nativity is concerned, because of technical slack, the computer operator noted the native district of the petitioner as Nalgonda instead of Nizamabad and consequently the said error was corrected in the online application to the effect that the petitioner belongs to Nizamabad district.

4. The learned counsel for the petitioner contends that when the said mistake was detected by the petitioner about his nativity, he immediately submitted a representation to the respondents on 14.6.2018, but the

Respondents neither considered the said representation nor passed orders, appointing him as Junior Lineman by treating him as native of Nizamabad district. The learned counsel further contends that appropriate orders be passed, directing the Respondents to change the nativity of the petitioner from Nalgonda to Nizamabad, in accordance with law, and consider the case of petitioner for appointment to the post of Junior Lineman.

5. The learned Standing Counsel appearing for Respondent Corporation contends that in the notification, it was categorically stated that the entries made in the online applications will not be changed, however, the case of the petitioner would be considered, as the petitioner had complained about the malfunctioning of computers at the time of filling up the online application.

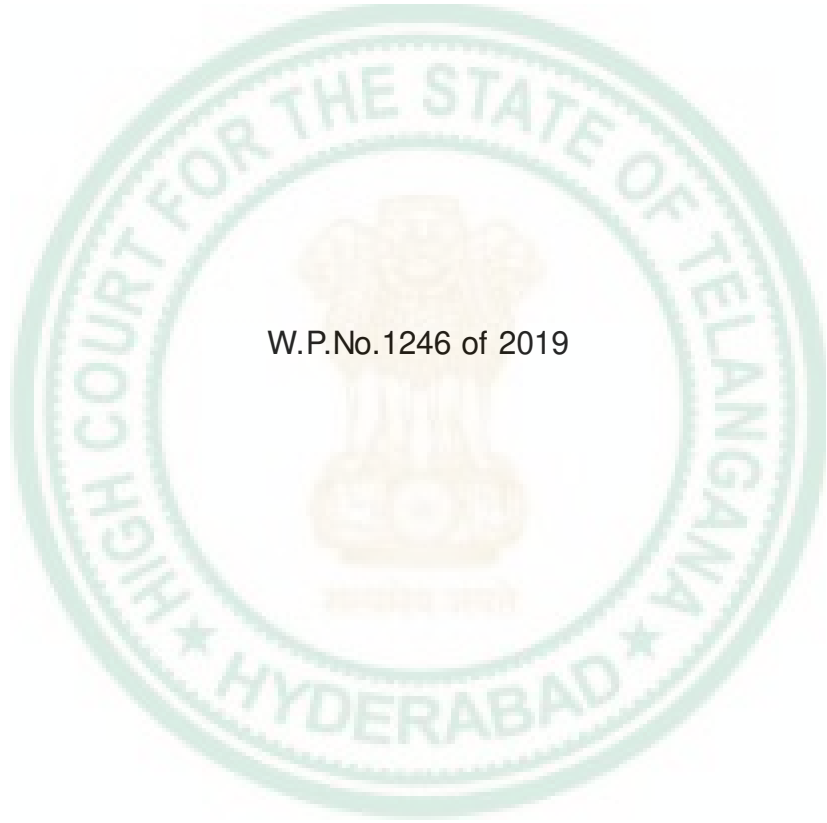
6. This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation dated 14.6.2018 submitted by the petitioner and pass appropriate orders, in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above observations, the writ petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 15.2.2019
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