

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.1250 of 2019

ORDER:

This writ petition is filed seeking Writ of Mandamus, declaring the action of the Respondents in not renewing petitioner services as ANM (Auxiliary Nursing Midwife) on contract basis by order in proceedings Rc.No.A-54722/KGBV/2018 dated 13.7.2018 as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India and sought a consequential direction to the Respondents to renew the services of the petitioner as ANM.

2. Heard Mr.M.Srikanth, learned counsel for the petitioner and the learned Government Pleader for Education, appearing for Respondents 1 to 3 and Mr.G.Bhaskar, learned Standing Counsel appearing for Respondent No.4.

3. It has been contended by the petitioner that he was initially appointed as ANM on contract basis by order dated 7.7.2008 and since then, petitioner has been discharging the duties as ANM to the best satisfaction of his superiors and every one concerned. Though the appointment of the petitioner on contract basis was on tenure basis, the tenure of the petitioner was extended from time to time and the last extension was upto 13.7.2018 and thereafter the services of the petitioner were not renewed. Under those circumstances, petitioner submitted a written representation on 17.12.2018, requesting the Respondents to renew the services of the petitioner on contract basis, but so far, the respondents have not passed any orders on the said representation nor renewed the contract period. Hence the present writ petition.

4. Learned counsel for the petitioner contends that the action of the respondents in not passing any orders on the representation dated

17.12.2018 as arbitrary and illegal and, therefore, contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 17.12.2018 submitted by the petitioner and pass appropriate orders in accordance with law.

5. On the other hand, the learned counsel appearing for respondents contends that the case of the petitioner will be considered and appropriate orders would be passed on the representation dated 17.12.2018 submitted by the petitioner, in accordance with law.

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 17.12.2018 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.

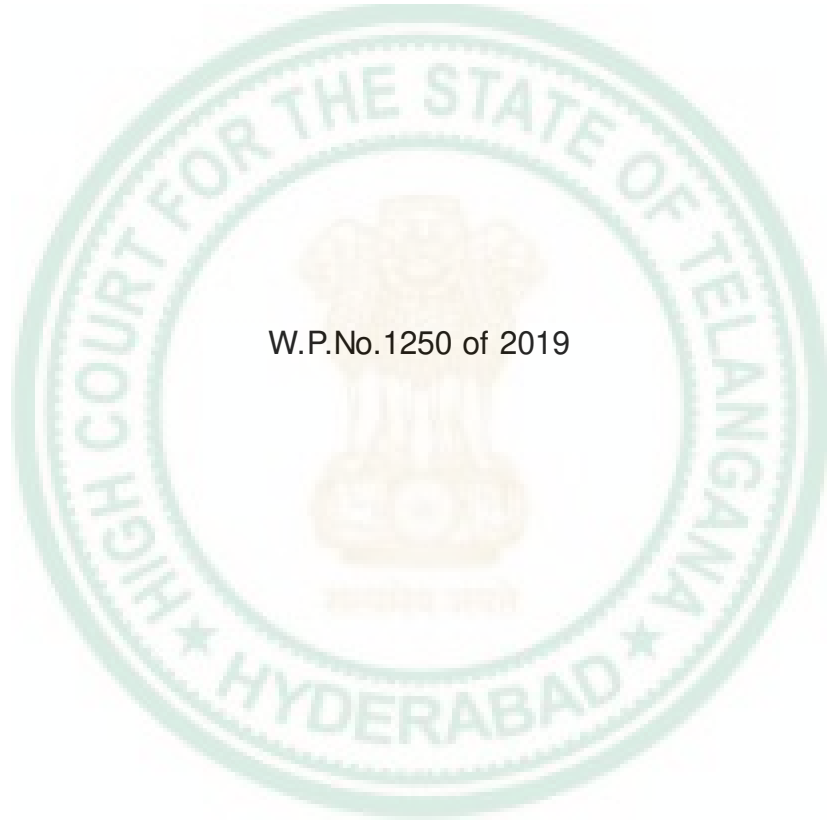
7. With the above observations, the writ petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed. There shall be no order as to costs.

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JUSTICE ABHINAND KUMAR SHAVILI

Date: 15.2.2019.  
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