

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**W.P.No.1471 of 2019**

**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 22.04.1994, 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 22.04.1994 as Bill Collector/Sweeper/Lineman by taking into consideration of the orders passed in writ petitions in W.P.No.33936 of 2011 and batch dated 02.05.2018 as well as W.P.No.45552/2018, dated 15.12.2018 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 Bill Collectors/Sweepers/Line Men in the year 1988 in the erstwhile Devarakonda Gram Panchayat and thereafter, the said Gram Panchayat was upgraded as 3<sup>rd</sup> Grade Municipality. 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.**

Learned counsel appearing for the petitioners submits that appropriate orders be passed in the writ petition directing the 1<sup>st</sup> respondent to regularize the services of petitioners; that in similar circumstances, this Court disposed 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; and that since the petitioners are also similarly situated persons, this writ petition can be disposed of directing the respondents to regularize the services of petitioners in terms of the order 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 would 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 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 1<sup>st</sup> respondent within two weeks from the date of receipt of a copy of this order, and upon such proposals being received, the 1<sup>st</sup> 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.

Miscellaneous applications, if any, pending shall stand closed.

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JUSTICE ABHINAND KUMAR SHAVILI

*29<sup>th</sup> January, 2019*  
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