

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.2928 of 2019

ORDER :

This writ petition is filed seeking Writ of Mandamus declaring the action of respondent No.1 in not disposing of the appeal dated 10.09.2018 preferred by the petitioner as per law, as illegal and arbitrary, and sought a consequential direction to respondent No.1 to pass appropriate orders in the said appeal.

It is the case of the petitioner that while she was working as Conductor, the 3rd respondent has issued proceedings dated 31.03.2012 terminating the petitioner from service and the same was confirmed by the 2nd respondent vide proceedings dated 30.08.2018. Thereafter, the petitioner has preferred an appeal dated 10.09.2018 before the 1st respondent – Appellate Authority. The grievance of the petitioner is that though the petitioner has preferred appeal on 10.09.2018, no orders have been passed in the said appeal by the 1st respondent.

Heard Sri K. Ramakrishna, learned counsel for the petitioner and Sri A. Ravi Babu, learned Standing Counsel for the respondents – Corporation.

Learned counsel for the petitioner submits that the 1st respondent has not passed any orders on the appeal preferred by the petitioner on 10.09.2018 nor considered the case of the petitioner for reinstatement into service. The learned counsel, therefore, contends that appropriate orders be passed in the

writ petition directing the 1st respondent – Appellate Authority to consider the appeal preferred by the petitioner on 10.09.2018 and pass appropriate orders in accordance with law.

On the other hand, the learned Standing Counsel for the respondents - Corporation contends that the appeal preferred by the petitioner will be considered and appropriate orders would be passed in accordance with law.

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 1st respondent to consider the appeal dated 10.09.2018 preferred 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.

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

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

21.02.2019.
Msr

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