

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.2744 OF 2014

ORDER:

This writ petition is filed seeking a Writ of Mandamus, declaring the action of the respondents in not allowing the petitioner to join the duties nor allotting duties to him though he was selected and appointed as 'Sruti Vidwan', as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India and sought a consequential direction to the respondents to allow the petitioner to join the duties and extend all the consequential benefits including arrears of salary on par with the employees appointed along with the petitioner by proceedings dated 22.12.2008.

Heard Sri A. Chandraiah Naidu, counsel for the petitioner, and the Government Pleader for Endowments appearing for the respondents.

It has been contended by the petitioner that he is fully eligible and qualified to be appointed as 'Sruti Vidwan' and his case was considered and he was appointed as 'Sruti Vidwan' vide proceedings dated 22.12.2008. Thereafter, the services of the petitioner were discontinued. The grievance of the petitioner is that though similarly situated persons, who were appointed along with him, were continued, he is not being continued. Challenging the same, the present writ petition is filed.

Counsel for the petitioner submitted that appropriate orders be passed in the writ petition directing the respondents to consider the

case of the petitioner for re-engaging him as 'Sruti Vidwan' in any of the existing vacancies of the temples.

Government Pleader appearing for the respondents had contended that the petitioner was given posting order on 11.02.2009, but the petitioner has not reported to duty and he has voluntarily abandoned the services of Sruti Vidwan. However, as and when vacancy in the cadre of Sruti Vidwan arises, the case of the petitioner would be considered by giving preference to him.

This Court, having considered the rival submissions of the counsel for the parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a representation afresh, staking his claim for re-engagement as 'Sruti Vidwan' in any of the existing vacancies, within two weeks from the date of receipt of a copy of this order and upon such representation being received, the respondents are directed to consider the same by giving preference to the petitioner while appointing Sruti Vidwans in any of the existing vacancies and pass appropriate orders in another eight weeks thereafter.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J