

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5624 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“....to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in initiating and continuing the disciplinary proceedings against the petitioner pursuant to the charge memo issued vide G.O.Rt.No.499, PR&RD (Vig-II Dept), dated 18.07.2018 as being arbitrary, illegal, unjust, discriminatory and violative of Articles 14, 16 and 21 of the Constitution of India besides being violative of the mandatory provision of Rule 20 of the APCS (CC&A) Rules 1991 and also violative of the Government orders issued *vide* G.O.Ms. No.679, dated 01-11-2008 consequently hold that the petitioner is entitled for promotion to the post of MPDO with all consequential benefits and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

When the matter is taken up for hearing, learned counsel appearing for the petitioner submits that though the petitioner is eligible and qualified to be promoted to the post of Mandal Parishad Development Officer, the respondents are not considering his case on the premise of pendency of charge memo dated 18-07-2018 and that the issue involved in this writ petition is squarely covered by order dated 23.01.2019 passed by this Court in W.P.No.994 of 2019.

Learned Government Pleader appearing for the respondents submits that the respondents would consider the case of the petitioner in terms of G.O.Ms.No.257, dated 10-06-1999 and pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to the respondents to consider the case of the petitioner for promotion to the post of Mandal Parishad Development Officer.

Following the order dated 23.01.2019 passed by this Court in W.P.No.994 of 2019, this Writ Petition is disposed of directing the respondents to consider the case of the petitioner for promotion to the post of Mandal Parishad Development Officer strictly in terms of G.O.Ms.No.257, dated 10-06-1999 and pass appropriate orders, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

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JUSTICE ABHINAND KUMAR SHAVILI

*19<sup>th</sup> March, 2019*  
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