

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5697 of 2019

ORDER:

The petitioner is seeking Writ of Mandamus declaring the inaction of the 3rd respondent in implementing the orders issued on 01-09-2018 with regard to reinstatement of petitioner into service as Village Revenue Assistant (V.R.A.) as illegal and violative of Article 14 of Constitution of India and sought consequential direction to the 3rd respondent to allow the petitioner to render service as V.R.A. and to further direct the 3rd respondent to pay the honorarium along with other arrears with effect from 01-09-2005.

Heard Sri P.Sasidhar Reddy, learned counsel for the petitioner and learned Government Pleader for Services-II.

It has been contended by petitioner that he has been working as Village Revenue Assistant since 01-04-2002 and he has been discharging his duties to the best satisfaction of his superiors.

The grievance of the petitioner is that since a criminal case is pending against him, he was being placed under suspension vide proceedings dated 30-11-2012. Thereafter, as he was acquitted in the said case, the petitioner has submitted representations to the respondents for reinstatement into service. On that the 2nd respondent by letter, dated 25-09-2018, directed the 3rd respondent to take necessary action on the representation made by the petitioner

and the 3rd respondent was pleased to revoke the suspension orders and reinstated him into service vide proceedings dated 01-09-2018. Though the 3rd respondent has ordered revocation of suspension orders by reinstating the petitioner into service, but he is not permitting him to join duty.

Learned Government Pleader appearing for the respondents contended that the 3rd respondent would allow the petitioner to join into service in pursuance to the orders passed by him on 01-09-2018 and it is the petitioner, who is not attending the duties. Therefore, if the petitioner reports to duty before the 3rd respondent, the 3rd respondent would permit him to discharge his duties.

This Court having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the petitioner to report to duty within one week from the date of receipt of a copy of this order before the 3rd respondent in pursuance to the orders dated 01-09-2018 and the 3rd respondent would allow him to join duty and permit him to discharge his duties.

With these observations, the writ petition is disposed of. No costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

20-03-2019
Nvl