

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7017 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.... to issue a Writ or order or direction more Particularly one in the nature of Writ of Mandamus declaring the action of the respondents discharging the petitioner from the training as SCTPC and not appointing the petitioner as Home Guard which the petitioner holding prior to his selection as SCTPC as being arbitrary, illegal, unjust and violative of Articles 14, 16 and 21 of the Constitution of India and consequently hold that the petitioner is entitled to be appointed as Home Guard with all consequential benefits”.

Heard Mr.B.Ramulu, learned counsel for petitioner and the learned Special Government Pleader for Home.

It has been contended by the petitioner that he was appointed as Home Guard in the year 2004 and while discharging his duties, the respondents have issued Notification for filling up the post of SCTPC. The petitioner has responded to the said Notification and after undergoing regular selection process, he was selected and appointed as SCTPC under the quota meant for Home Guards. He further submits that while undergoing training, he fell sick and could not participate in the training and remained absent. The said conduct of the petitioner is construed as misconduct and the petitioner was discharged from the post of SCTPC vide order dated 24.01.2018. Thereafter, the petitioner has submitted a representation to the respondents on 22.02.2018 requesting to consider his case for re-enrolment as Home Guard as he was

holding the post of Home Guard prior to his selection as SCTPC. But, so far, the respondents have not passed any order on the said representation nor re-enrolled the petitioner as Home Guard.

Learned counsel for petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 22.02.2018 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed in accordance with law on the representation submitted by the petitioner.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 22.02.2018 and pass appropriate orders in accordance with law within a period of eight 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.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 03-04-2019
Prv

