

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.9288 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, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not extending and releasing the Automatic Advancement Scales to the petitioner in the category of Bill Collector on completion of 10/ 16/ 24 years service in the said post even though his appointment to the post of Bill Collector was ratified by the Government and consequently services have been regularized from the date of his 1st appointment to the post of Bill Collector from 31.5.1982 and probation also declared on that basis is as illegal, arbitrary, unjust, discriminatory and subversive of Articles 14, 16 and 21 of the Constitution of India and consequently hold that the petitioner is entitled for release of Automatic Advancement Scales in the category of Bill Collector on completion of 10/ 16/ 24 years of service with all consequential benefits including revising the pay of the petitioner on that basis and fixation of pension and other retirement benefits on that basis...”.

Heard Mr.D.Balakishan Rao, learned counsel for petitioner and the learned Assistant Government Pleader of Services-II.

It has been contended by the petitioner that he was initially appointed as Bill Collector with the respondents and his services were also regularized. The petitioner submits that he is entitled for Automatic Advancement Scales on completion of 10 years, 16 years and 24 years of service. But, the respondents are not extending Automatic Advancement Scales on completion of 10 years, 16 years and 24 years of service. The 3rd respondent has also

submitted recommendations to the 2nd respondent on 07.10.2017. But, so far, the 2nd respondent has not passed any orders on the recommendations submitted by the 3rd respondent nor extended Automatic Advancement Scales on completion of 10 years, 16 years and 24 years of service.

Learned counsel appearing for the petitioner has contended that appropriate orders be passed in the writ petition directing the 2nd respondent to pass appropriate orders on the recommendations submitted by the 3rd respondent.

Learned Government Pleader appearing for respondents has contended that the 2nd respondent would consider the recommendations submitted by the 3rd respondent and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to consider the recommendations submitted by the 3rd respondent on 07.10.2017 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.

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: 29-04-2019
Prv

