

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.13191 OF 2002

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment as Shramik in the respondent Corporation, even though interview was held and the petitioner was instructed by the 2nd respondent that he will be given appointment orders within two weeks, and also the action of the respondents in not issuing appointment orders nor rejecting the case of the petitioner, as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and sought a consequential direction to direct the respondents to appoint the petitioner as Shramik with all consequential benefits.

Heard Sri C. Rajasekhar Reddy, counsel for the petitioner, and Sri A. Ravibabu, Standing Counsel appearing for the respondents.

It has been contended by the petitioner that he is fully eligible and qualified to be appointed as Shramik and he has applied for the post of Shramik under compassionate grounds. It is also stated that the petitioner was interviewed by the respondents and he has fared decently well in the interview and the respondents have assured the petitioner that appointment orders would be issued in due course, but the respondents have not issued any appointment orders till date. Challenging the same, the present writ petition is filed.

Counsel for the petitioner contended that the petitioner, being fully eligible and qualified to be appointed as Shramik, has participated

in the selection process and was declared to be selected, but so far the appointment orders are not issued in favour of the petitioner. Therefore, counsel for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment to the post of Shramik with all consequential benefits.

Standing Counsel appearing for the respondents had contended that the petitioner was asked to submit certain original documents at the time of selection process, but the petitioner has not produced the original certificates and, on that ground, the case of the petitioner was not considered. Standing Counsel further contended that if only the petitioner submits requisite documents, the case of the petitioner would be considered and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions of learned counsel for respective parties, is of the considered view that the writ petition can be disposed of directing the petitioner to submit representation afresh within a period of two weeks from the date of receipt of a copy of this order, staking his claim for appointment to the post of Shramik. Upon such representation being received, the respondents shall consider the same 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

31st October, 2019
v v

