

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.11383 of 2019

ORDER:

With the consent of both the counsel, this writ petition is being disposed of at the stage of admission.

This writ petition is filed seeking the following relief :-

“..... to issue writ or direction preferably writ of mandamus or any other appropriate writ declaring action of the respondents in not considering my representations dt 20.08.2014, 04.07.2015, 14.04.2015, 02.08.2017, 20.09.2017, 16.08.2018 and 27.05.2019 requesting the respondent Nos.2 and 3 for counting the services of Lecturer in University from 10.08.1973 to 03.12.1981 for pension as per G.O.Ms.No.5 dt.20.01.2006 and Orders of respondent Nos.2 and 3 vide Order No.MR-425/206/87/Adm.1-2, dt.22.01.2005 and consequently direct the respondent Nos.2 and 3 to release my retirement benefits and other benefit by counting my past service alongwith services of Reader from 24.12.1981 to 17.01.2001.....”.

Heard Si K.Jagadishwar Reddy, learned counsel for petitioner and Si Ch.Jagannadha Rao, learned Standing Counsel for respondents 2 and 3.

It has been contended by the petitioner that he was initially appointed as Associate Lecturer in the respondent University on 11.08.1972. While he was discharging his duties as Associate Lecturer, he was selected as a Reader in the respondent University on 17.12.1981. The petitioner has retired from service on 17.01.2001 and ever since then he has been making a series of representations to consider his case for counting his past service and extending service benefits for the service rendered as a Associate Lecturer. But, the respondents have not passed any orders on the said representations.

Learned counsel appearing for petitioner has contended that the petitioner is aged about 74 years and he is drawing less pension.

If the respondent University had counted the earlier service of the petitioner as Associate Lecturer, he would have been entitled for enhanced pensionary benefits. Therefore, appropriate orders be passed in the writ petition directing the respondents to consider the latest representation submitted by the petitioner on 27.05.2019 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for respondents 2 and 3 has contended that the petitioner has retired on 17.01.2001 and he has filed present writ petition with the delay of nearly 18 years. Hence, the writ petition is liable to be dismissed.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents 2 and 3 to consider the representation submitted by the petitioner on 27.05.2019 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.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILU

11.06.2019
Prv

