

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.14184 of 2019

ORDER:

With the consent of both the parties, this Writ Petition is being disposed of at the admission stage.

2. This Writ Petition is filed seeking a Writ of Mandamus declaring the inaction of the respondents in considering the application of the petitioner dated 27-05-2019 for appointing him as Physiotherapist under District NCD clinic programme in pursuance of the merit list as arbitrary and illegal and contrary to notification No.E1/1713/NCD/2017 dated nil and also in violation of natural justice and sought a consequential direction to consider the said application and to appoint him as Physiotherapist.

3. Heard Sri G.Madhusudhan Reddy, learned counsel for the petitioner and the learned Government Pleader for Services-II appearing for respondents.

4. The petitioner contends that he is fully eligible and qualified to be appointed as Physiotherapist. The respondents have issued recruitment notification and the petitioner has responded to the said notification and in the merit list, the name of the petitioner was shown in serial No.1. But however, the respondents have appointed one P.Siva Kumar as Physiotherapist, who is in serial No.3 in the merit list and he is a non-local to Rajanna Siricilla District and when the respondents have realized that they have erroneously appointed P.Shiva Kumar, they have terminated the services of P.Shiva Kumar

vide proceedings dated 15-09-2018. Thereafter, the petitioner has made an application dated 27-05-2019 requesting the respondents to consider his case in the vacancy which had arisen consequent upon the termination of P.Shiva Kumar, but so far the respondents have not passed any orders.

5. Learned Government Pleader for Services-II submits that the case of the petitioner would be considered and appropriate orders would be passed on his application dated 27-05-2019 in accordance with law.

6. Having regard to the rival submissions made by the parties, this Court is of the considered view that the Writ Petition can be disposed of directing the respondents to consider the application of the petitioner dated 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.

7. With these observations, the Writ Petition is disposed of. No costs.

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 11-07-2019
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