

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15319 OF 2009

ORDER:

This writ petition is filed for the following prayer:

“to issue a Writ, Order or direction more particularly one in the nature of “Writ of Mandamus” directing the respondents to consider the age of the petitioner basing on the Doctors Certificate and other documents by quashing the guidelines (b) in D.O.Lr.No.8/12/90 FF (P), dt.02.07.1998 of the 1st respondent insofar as age determination basing on voters list by holding the same as illegal, arbitrary and unconstitutional and violation of Articles 14 and 21 of the Constitution of India and further set aside the impugned Lr.No.4566(2) FF.1/2009, dated 23.05.2009 of the 2nd respondent by holding it as illegal, arbitrary and violation of principles of natural justice being violation of Articles 14 & 21 of the Constitution of India and further direct the 1st respondent not to cancel petitioner's pension sanction Lr.No.112/7313/93-FF(HC) (P), dt.26.04.2004.”

Learned Counsel for the petitioner submits that the *lis* in the writ petition is squarely covered by order dt.02.12.2014 passed by this Court in WP.No.18213 of 2009.

Heard learned Assistant Solicitor General.

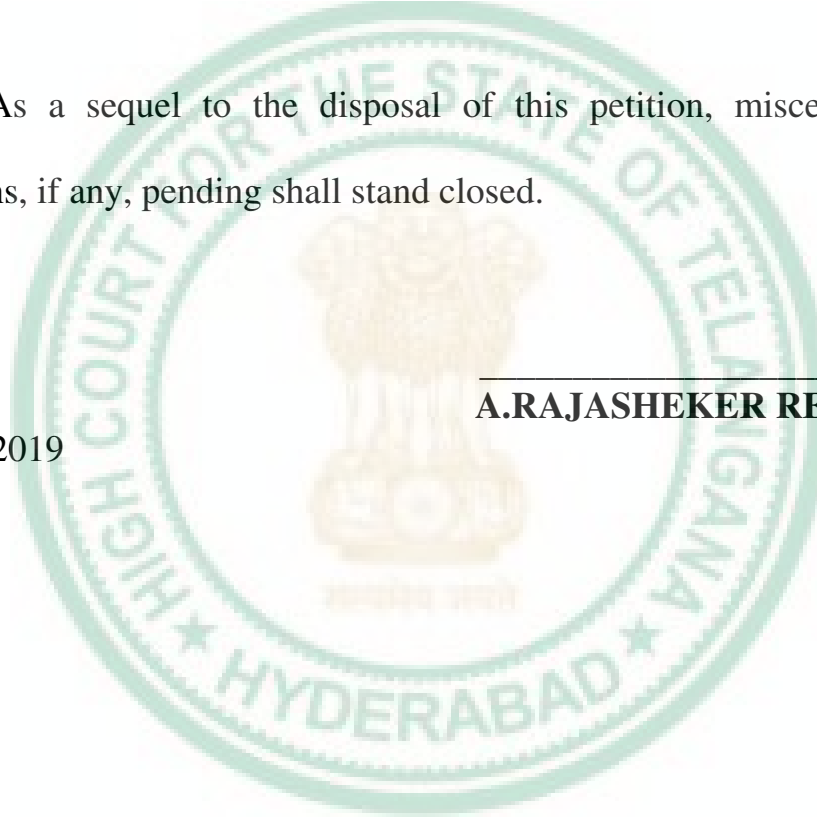
A reading of the order in WP.No.18213 of 2009 goes to show that this Court has considered the similar issue and allowed the writ petition.

In view of the same and for the reasons alike in WP.No.18213 of 2009, this writ petition is also allowed and the impugned proceedings vide Lr.No.4566(2) FF.1/2009, dated 23.05.2009 of the State Government is hereby set aside. Further, it is declared that the said recommendations cannot form the basis for initiating any action against the petitioner. However, it is open for the respondent authorities to hold enquiry after giving notice and opportunity of being heard to the petitioner. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

14-11-2019
tk.



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09.07.2019

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