

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16898 OF 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking a writ of Mandamus, declaring the action of the 4th respondent in issuing the proceedings dated 16.02.2019, temporarily keeping the petitioner out of contract from 16.02.2019 pending enquiry, without giving any opportunity, as bad, arbitrary, illegal, unconstitutional and violative of principles of natural justice and sought a consequential direction to the respondents to continue the petitioner as Additional Programme Officer in the office of Mandal Praja Parishad, Kamepally Mandal, Khammam District, in the interest of justice.

Heard Sri C. Damodar Reddy, counsel for the petitioner, and Government Pleader appearing for the respondents.

It has been contended by the petitioner that he was initially appointed as Additional Programme Officer on contract basis during 2007 and since then, he has been discharging his duties to the best satisfaction of his superiors and every one concerned. The petitioner further contended that though initially the contract period was only for one year, later on it has been extended from time to time. The petitioner also contended that on the alleged allegations of financial

irregularities, he was kept out of employment vide proceedings dated 16.02.2019.

Learned counsel for the petitioner submitted that the petitioner has submitted a representation to the respondents on 27.04.2019, requesting to re-engage him on contract basis by duly considering his representation, but so far the respondents have not passed any orders on the said representation nor reviewed the orders dated 16.02.2019. Therefore, learned counsel for the petitioner submitted that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 27.04.2019 and pass appropriate orders thereon in accordance with law.

Government Pleader appearing for the respondents had contended that since the petitioner had indulged in severe financial irregularities, the services of the petitioner were temporarily discontinued vide proceedings dated 16.02.2019. Government Pleader, however, submitted that the respondents would consider the representation submitted by the petitioner, but as the representation dated 27.04.2019 said to have been submitted by the petitioner is not annexed to the writ petition, let the petitioner submit a fresh representation to the respondents and, upon such a representation being received, the respondents would consider the same and pass appropriate orders.

This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to

the respondents, seeking continuation of his employment on contract basis, within a period of two weeks from the date of receipt of a copy of this order and, upon such a representation being received, the respondents shall consider the same and pass appropriate orders, in accordance with law, in another two 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

7th August 2019
v v

