

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16290 OF 2018

ORDER:

This writ petition is filed seeking to issue a Writ of Mandamus directing the respondents to promote the petitioner to the post of Village Revenue Officer from 24.04.2018 on par with his juniors with all consequential benefits by holding the action of the respondents in not promoting the petitioner and further promoting his juniors vide proceedings dated 24.04.2018 issued by the 1st respondent, as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India.

Heard Sri Ch. Jagannatha Rao, learned counsel for the petitioner, and the learned Government Pleader for Services-II appearing for the respondents.

It has been contended by the petitioner that he has been working as Village Revenue Assistant and he is fully eligible and qualified to the post of Village Revenue Officer. The petitioner further contends that he has passed Intermediate Examination in October, 2017 and thus has become fully eligible and qualified for the said post, but the respondents, without considering his case, have promoted many of his juniors vide proceedings dated 24.04.2018 and, in those set of circumstances, he has submitted a representation to the respondents on 27.04.2018 requesting the 1st

respondent to consider his case for promotion to the post of Village Revenue Officer on par with his juniors.

Learned counsel for the petitioner submitted that so far the respondents have not passed any orders on the representation submitted by the petitioner nor considered the case of the petitioner for promotion to the post of the Village Revenue Officer and, therefore, contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for promotion to the post of the Village Revenue Officer on par with his juniors.

Learned Government Pleader appearing for the respondents submitted that the list of candidates who are eligible for promotion to the post of the Village Revenue Officer was prepared prior to October, 2017 and since the petitioner was not qualified by that time, the name of the petitioner was not included in that list and that only the names of the persons who are qualified were included in the list. Learned Government Pleader further submitted that as the petitioner has now acquired the required qualification, his case shall be considered in accordance with the Rules and appropriate orders would be passed.

This Court, having considered the 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 to

consider the representation submitted by the petitioner on 27.04.2018 and also to consider the case of the petitioner for promotion to the post of the Village Revenue Officer and pass appropriate orders in accordance with the Rules, within a period of eight weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated: 30th January, 2019.

v v

