

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19900 of 2019

ORDER:

Heard Sri Karunakar Reddy, learned counsel for the petitioner, Sri N.Ramu, learned Standing counsel for respondents 2 and 3 and the learned Government Pleader for Services-III. With the consent of both the parties, this writ petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....Writ Of Mandamus, declaring the action of the Respondent authorities in not allowing the petitioner from attending to his duties from January, 2017 onwards and not paying the arrears of salaries from 22-7-2014 till December, 2016 and not refunding the amount of Rs.2,64,317/- deposited by the petitioner at the time of his reinstatement, pursuant to the representation dt.24-7-2019 followed by personal visits, as being illegal, arbitrary and unjust and consequently allow the petitioner herein to attend to his duties and to pay the arrears of salaries including the amount of Rs.2,64,317/- deposited by the petitioner at the time of his reinstatement, and to pass such other order or orders.....”

It has been contended by the petitioner that he was initially appointed as Public Health Worker and after rendering considerable length of service, he was deputed to Khammam Municipal Corporation-2nd respondent to work as Accountant in e-seva. Petitioner further contends that he was kept under suspension on the ground of misappropriation of Rs.2,64,317/- and a case was registered in Cr.No.106/2005 and later he was acquitted by the competent Criminal Court. Thereafter, petitioner was reinstated into service subject to condition of depositing an

amount of Rs.2,64,317/-. The grievance of the petitioner is that the respondents are not allowing him to discharge his duties from January, 2017 and are also not paying the arrears of salary from 22.07.2014 till December, 2016, including refund of the amount deposited by him at the time of reinstatement, without assigning any reason.

Learned counsel for the petitioner contends that though petitioner had submitted a representation on 24.07.2019 requesting the respondents to allow him to discharge his duties and also to pay arrears of salary including refund of amount deposited by him at the time of reinstatement, respondents are neither passing orders on the said representation nor permitting the petitioner to discharge his duties. Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 24.07.2019 and pass appropriate orders in accordance with law within a reasonable period.

Learned Government Pleader as well as the learned Standing counsel appearing for the respondents submit that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner on 24.07.2019 in accordance with law within a reasonable period.

Having regard to the submissions made by the learned counsel appearing for the respective parties, this Court 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 24.07.2019 and pass appropriate orders in accordance with law, within a period of eight (08) weeks from the date of receipt of a copy of this order.

With the above direction, writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 08-11-2019

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