

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.22794 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of learned counsel for the respective parties.

This writ petition is filed seeking the following relief :-

“.....to issue a writ, order or a direction more particularly one in nature of Writ of Mandamus declaring that the petitioner is entitled to be considered and appointed by transfer as Junior Technical Officer with all consequential benefits on the analogy of orders issued in respect of similarly situated individual in the interest of justice duly holding the action of the respondents in not considering and appointing the petitioner as Junior Technical Officer by transfer as we done in the case of Sri A.Bharat, Typist, who was appointed as Junior Technical Officer by appointment by transfer as being arbitrary, illegal, discriminatory and in violation of Articles 14 and 16 of the Constitution of India”

Heard Mr.D.Linga Rao, learned counsel for the petitioner and the learned Standing Counsel for respondents 2 and 3.

It has been contended by the petitioner that he is working as Junior Assistant and is fully eligible and qualified to be appointed to the post of Junior Technical Officer by way of transfer, but the respondents are not considering his case. The petitioner submits that one Typist by name Sri A.Bharat was appointed as Junior Technical Officer by way of transfer, but the same benefit is not being extended to the petitioner.

Learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment as Junior

Technical Officer by way of transfer as was done in the case of A.Bharat.

Learned Standing Counsel appearing for the respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed in accordance with law, if the petitioner submits fresh representation.

This Court, having considered the rival submissions made by the learned counsel for the respective 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 within a period of two weeks from the date of receipt of a copy of this order seeking appointment to the post of Junior Technical officer by way of transfer. Upon such representation being received, the respondents shall consider the case of the petitioner as was done in the case of A.Bharat and pass appropriate orders in accordance with law within six 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 SHAVIL, J

12-11-2019
Prv