

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23371 of 2019

ORDER:

This writ petition is disposed of at the stage of admission, with the consent of all the parties.

2. The writ petition is filed seeking a Writ of Mandamus declaring the action of respondents in not regularizing the services of petitioner in the post of Office Subordinate (Attender) even though he was appointed in the quota of land donation to an extent of Ac.2.07 guntas for the construction of Bridge School which is taken over by the 2nd respondent-Society inspite of petitioner continuously working in the said post from 09.05.2006, as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and sought a consequential direction directing the respondents to regularize the services of petitioner in the post of Office Subordinate/Attender with all consequential benefits including arrears from the date of appointment.

3. Heard learned counsel for the parties.

4. It has been contended by the petitioner that his father had donated an extent of Ac.2.07 guntas of land in Sy.Nos.1 and 3 of Chitteboinpally village of Jadcherla Mandal to the 2nd respondent and the 2nd respondent had constructed a Bridge School in the said land. Petitioner further submitted that as his family members have donated land in favour of respondents, the respondents have appointed him as Office Subordinate on contract basis on 09.05.2006 and since then, he is discharging his

duties as Office Subordinate. Counsel for petitioner contended that as per the guidelines of the 2nd respondent-Society, persons who have completed Five years of contract service, are entitled for regularization and though the petitioner has rendered more than 13 years of service as Office Subordinate on contract basis, respondents are not considering his case for regularization. Counsel for petitioner further submitted that the 2nd respondent has recommended the case of the petitioner to the 1st respondent for regularization of service, vide proceedings dated 12.10.2013, but the 1st respondent has not passed any orders on the said recommendations made by the 2nd respondent. Therefore, counsel for petitioner contended that appropriate orders be passed in the writ petition directing the 1st respondent to consider the proposals submitted by the 2nd respondent and pass appropriate orders in accordance with law.

5. The Government Pleader as well as the Standing Counsel appearing for the respondents submitted that the case of the petitioner for regularization would be considered by the 1st respondent and appropriate orders would be passed on the recommendations made by the 2nd respondent within a reasonable period of time.

6. 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 1st respondent to consider the recommendations made by the 2nd respondent on 12.10.2013 and pass appropriate orders in accordance with law within a period of Twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of.

No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

28th October, 2019

ajr

