

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.23972 of 2019

ORDER:

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

This writ petition is filed seeking the following relief :-

“.....to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the entire action of the respondents 1 and 2 in not considering the genuine claim of the petitioner for promotion to the post of Hostel Welfare Officer Gr.I in terms of rule of reservation in promotions provided to the differently abled employees vide G.O.Ms.No.42, Dept., for Women, Children, Disabled and Senior Citizens (DW) dated 19.10.2011 R/w.G.O.Ms.No.99 GA (Ser.D) Dept., dated 4.3.2013, even though he is fully eligible, qualified and despite of availability of roster points and in spite of making request is as highly illegal arbitrary, unjust, improper, violative of Articles 14, 16 and 21 of the Constitution of India including violative of above orders of the Govt., issued vide G.O.Ms.No.42 dated 19.10.2011 and consequently to direct the respondents to forthwith consider the case of the petitioner to the post of Hostel welfare Officer Gr.I Under Rule of reservation in promotions provided to the differently Abled employees quota in terms of G.O.Ms.No.42 Dept., for Women, Children, Disabled and Senior Citizens (DW) dated 19.10.2011 R/w G.O.Ms.No.99 GA (Ser.D) Dept dated 4.3.2013....”.

Heard Mr.S.Satyanarayana Rao, learned counsel for the petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that he is working as a Hostel Welfare Officer Grade-II and he is fully qualified and eligible to be promoted as Hostel Welfare Officer Grade-I as he is an orthopaedic handicapped person and the State Government had

taken a policy decision to provide reservation even in the matters of promotions to the disabled persons under G.O.Ms.No.42 dated 19.10.2011 and therefore, he is entitled to be promoted as Hostel Welfare Officer Grade-I in terms of the said G.O. But, the respondents are not considering his case for promotion to the post of Hostel Welfare Officer Grade-I. In those set of circumstances, the petitioner has submitted a representation to the respondents on 24.09.2019 requesting to consider his case for promotion to the post of Hostel Welfare Officer Grade-I, but, so far, the respondents have not passed any orders on the said representation nor considered his case for promotion to the post of Hostel Welfare Officer Grade-I.

Learned counsel for the petitioner has contended 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 Hostel Welfare Officer Grade-I by duly considering and disposing of the representation submitted by him on 24.09.2019.

The learned Government Pleader appearing for the respondents contends that the respondents would consider the case of the petitioner and pass appropriate orders on the representation submitted by the petitioner on 24.09.2019.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the respondents to consider the case of the petitioner for promotion to the post of Hostel Welfare Officer Grade-I by duly considering and disposing of the representation submitted by him on 24.09.2019 and pass appropriate orders in accordance with law within a

period of eight weeks from the date of receipt of a copy of this order.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 01-11-2019
Prv



