

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.25073 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 to declare the action of the 2nd Respondent in not giving any opportunity to take participation to the selection of post Assistant Section Officer in the Finance Department earmarked to the Ex-Servicemen category as illegal, arbitrary, null and void and consequently direct the Respondents to provide an opportunity to the Petitioner to take participation in the oral interview to the selection of Assistant Section Officer in the Finance Department.....”

Heard Sri J.Kanakaiah, learned counsel for the petitioner and the learned Standing Counsel for the respondents.

It has been contended by the petitioner that he is an ex-Serviceman and he is fully qualified and eligible to be appointed as Assistant Section Officer and the 2nd respondent has issued Notification to fill up the post of Assistant Section Officer on 01.09.2016 and the petitioner has responded to the said Notification and after undergoing regular selection process, the petitioner has come up within the zone of consideration for being appointed to the post of Assistant Section Officer.

Learned counsel for the petitioner contends that initially the petitioner was called to appear for an interview on 15.07.2019 and the petitioner could not attend the said interview owing to ill-health and the petitioner has submitted a representation to the respondents on 25.10.2019 requesting to permit him to appear for the interview on any other subsequent date, but the respondents have replied that the case of the petitioner cannot be considered

as already the merit list was prepared and if the respondents prepare any second list, the case of the petitioner would be considered. Now, the 2nd respondent has issued a web note on 08.11.2019, wherein the steps are being taken to fill up the unfilled vacancy and since the petitioner has come up within the zone of consideration, appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment to the post of Assistant Section Officer pursuant to web note dated 08.11.2019, by duly considering and disposing of the representation submitted by the petitioner on 25.10.2019.

Learned Standing Counsel appearing for the respondents has contended that since the representation of the petitioner is pending with the 2nd respondent, the 2nd respondent would consider the same and pass appropriate orders in accordance with law.

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 2nd respondent to consider and dispose of the representation submitted by the petitioner on 25.10.2019 and pass appropriate orders in accordance with law within a period of four 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 SHAVILU, J

14-11-2019
Prv