

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.25314 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent Nos. 3 to 6 herein in not considering the cases of the petitioners for the posts of Junior Plant Attendants/Mazdoors/Artisans in V and VI Stages of Kothagudem Thermal Power Station, Paloncha, Bhadradi Kothagudem District as per G.O.Ms.No.97 Social Welfare (TW.EDN) Department, dated 18/10/2001 issued by the Government of Andhra Pradesh and as per the recommendations made by the Joint Meetings of the District Administration/Tribal Welfare Department, APGENCO and the representatives of Tribal JAC Members dated 17/11/2008 and 24/01/2009 as bad, arbitrary, illegal and unconstitutional and consequently direct the respondent Nos.3 to 6 to appoint the petitioners as Junior Plant Attendants, Mazdoors and Artisans as per their qualifications and eligibility in V and VI stages of Kothagudem Thermal Power Station, Paloncha, Bhadradi Kothagudem District by implementing G.O.Ms.No.97 Social Welfare (TW.EDN) Department dated 18/10/2001 and subsequent recommendations made by the Joint Meetings of the Authorities and pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel on either side.

It is the case of the petitioners that all of them belong to Scheduled Tribe Community and they are residents of

Palvoncha Mandal. Their villages were effected due to establishment and construction of V & VI stages of KTPS, Paloncha. While so, the respondents have taken a policy decision vide G.O.Ms.No.97, dated 18.10.2001 to provide employment to the local Scheduled Tribe candidates in the cadre of Junior Plant Attendants, Mazdoor Posts and Operation and Maintenance, Establishment of Power Generation Plants. Since the respondents are not implementing the said G.O.Ms.No.97, dated 18.10.2001, the present writ petition is filed.

Learned counsel appearing for the petitioners contended that appropriate orders be passed in the writ petition directing the respondents to fill up the posts of Junior Plant Attendants, Mazdoor Posts and Operation and Maintenance, Establishment of Power Generation Plants only with local Scheduled Tribe Candidates as per G.O.Ms.No.97, dated 18.10.2001.

Sri G.Vidya Sagar, learned Senior Counsel, appearing for respondents 3 to 6 contended that the respondents would follow G.O.Ms.No.97, dated 18.10.2001, as and when they propose to fill up the vacancies of Junior Plant Attendants, Mazdoor Posts and Operation and Maintenance,

Establishment of Power Generation Plants with local Scheduled Tribe candidates.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondents to follow G.O.Ms.No.97, dated 18.10.2001, as and when they fill up the vacancies in the cadre of Junior Plant Attendants, Mazdoor Posts and Operation and Maintenance, Establishment of Power Generation Plants and Kothagudem Thermal Power Station.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, pending, if any shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 19.11.2019
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