

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.25802 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 Order more in the nature of Writ of Mandamus declaring the impugned action of the respondents in not regularizing the services of the deceased employee in terms of G.O.Ms.No.212, dt.22.04.1994 even proposals had made vide Lr.No.6743/ Lab/ Agril.College, R'nagar/ 2015 dt.22/ 08/ 2015 by the 1st respondent while in service for regularization and retiring her without regularizing her services though she had completed 39 years of continuous service is illegal, arbitrary, unjust and violative of Articles 14 and 21 of the Constitution of India and consequently declare that the deceased employee services are entitled to be regularized w.e.f. 31/06/1984 the date on which she had completed five years of services as per the proposal referred to above herein in terms of G.O.Ms.No.212 dt 22/ 04/ 1994 and fix her pay and pension in Revised Pay Scales from time to time and to sanction arrears with all consequential benefits and to release and to pay the same to the petitioner herein who is entitled to be legal heir.....”.

Heard Mr.M.Ramgopal Rao, the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

It has been contended by the petitioner that his mother was appointed as a casual labourer with the respondents on 01.07.1979 and after retiring from service she died on 16.10.2018. The proposal with regard to regularisation of the services of the petitioner's mother is pending and on account of administrative lapses, the services of petitioner's mother could not be regularized. The petitioner has submitted a representation to the respondents on

03.09.2019 requesting to settle the terminal benefits in favour of the petitioner as he is the sole legal heir of the deceased employee. But, so far, the respondents have not passed any orders on the said representation nor considered the case of the petitioner for grant of terminal benefits of the deceased employee.

Learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 03.09.2019 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents has contended that since the representation of the petitioner is pending, the respondents 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 respondents to consider the representation submitted by the petitioner on 03.09.2019 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: 02-12-2019
Prv

