

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.26855 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue writ or order more particularly one in the nature of writ of Mandamus by declaring the inaction of the 2nd respondent in disposing the appeal filed by the petitioners on 21.3.2018 and 24.10.2019 for fixing the seniority list of constables on the basis of merit though the merit list is available as communicated by the Inspector General of Police TSSP, Hyderabad, dated 15.2.2018 as illegal, arbitrary, violative of the principles of natural justice and violative of Articles 14 and 16 of the Constitution of India and consequently direct the 2nd respondent to fix the seniority of the Excise Constables of Nizamabad District on the basis of merit with all service benefits and to pass such other orders as are necessary in the interest of justice.”

Heard Sri Vadapalli Ramesh, learned counsel appearing for the petitioners and learned Government Pleader for Services-II appearing for the respondents.

The petitioners are working as Prohibition and Excise Constables. Their grievance is that the respondents are not preparing the seniority list as per the merit even though the merit list is available with the 2nd respondent. Aggrieved by the incorrect fixation of seniority, the petitioners have preferred an appeal to the 2nd respondent on 21.3.2018 and representation on 24.10.2019. But so far no orders have been passed thereon.

Learned counsel appearing for the petitioners contended that appropriate orders be passed in the writ petition directing the 2nd respondent to consider the representation dated 24.10.2019 and dispose of the appeal dated 21.3.2018 submitted by the petitioners.

Learned Government Pleader appearing for the respondents contended that since the appeal preferred by the petitioners is pending with the 2nd respondent, the 2nd respondent would consider the same and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this Writ Petition can be disposed of directing the 2nd respondent to consider the representation dated 24.10.2019 and dispose of the appeal dated 21.03.2018 submitted by the petitioners 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.

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

Miscellaneous petitions, pending, if any shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 04.12.2019
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