

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.27054 of 2019

ORDER:

Heard Sri A.Jagan, learned counsel for the petitioner and Smt R.Padma Rekha, learned Standing counsel for respondents. With the consent of learned counsel for the respective parties, this Writ Petition is being disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....WRIT OF MANDAMUS declaring the action of the respondents in not considering the recommendations of the 3rd respondent vide Lr.No.C/D5/EGS/191/2010, dated 02.04.2019 for Technical Assistant Fixed Term Employment (FTE) as illegal, arbitrary, contrary to the Mahatma Gandhi Rural Employment Guarantee Scheme (MGNREGS) and as well as the violation of the fundamental rights guaranteed under the constitution of India consequently direct the respondents to fix the petitioner service as a Technical Assistant in Fixed Term Employee (FTE) and pay all other attendant service benefits and pass such other order or orders.....”

It has been contended by the petitioner that he was appointed as Technical Assistant during the year 2015, through notification after undergoing regular selection process. The petitioner further contends that the 2nd respondent has unilaterally altered the service condition from the fixed tenure to that of outsourcing. With regard to the same, the petitioner submitted a representation on 28.03.2019 to the 3rd respondent, who intturn submitted his proposals dated 02.04.2019 to the 2nd respondent recommending the case of the petitioner. But so far the 2nd respondent had not passed any orders on the said representation.

Learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the 2nd respondent to consider the representation submitted by the petitioner on 28.03.2019 and pass appropriate orders in accordance with law.

Learned Standing counsel appearing for the respondents contends that since proposals sent by the 3rd respondent are 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 of the learned counsel appearing for the respective parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to consider the representation submitted by the petitioner on 28.03.2019 by duly taking into account the proposals sent by the 3rd respondent on 02.04.2019 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 direction, the writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 09-12-2019
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