

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.35722 of 2016

ORDER:

This Writ Petition is filed for the following relief:

“.....Writ of Mandamus by declaring the action of the respondent authorities more particularly that of the 3rd respondent in not deputing the petitioners who are working as Village Revenue Officers from the year 2008 for Survey Training in preference to the claims of the unofficial respondents and taking steps to depute the unofficial respondents for Survey Training vide impugned Lr.No. A3/65/2010 dated 05-10-2016 as being arbitrary, illegal, unjust, discriminatory, contrary to the provisions of Rule 3 of the A P Village Revenue Officers Service Rules and in violation of Articles 14 and 16 of the Constitution of India direct the respondents 1 to 4 to depute Village Revenue Officers for Survey Training after preparing and finalizing the seniority list of Village Revenue Officers in accordance with the provisions of Rule 3 of the A P Village Revenue Officers Service Rules notified in G.O.Ms.No.39 Revenue (VA) Department dated 11-01-2008 duly maintaining the order of preference mandated therein and further depute the petitioners for Survey Training in preference to the claims of the unofficial respondents and to pass such order or other orders.....”

Heard Sri D.Linga Rao, learned counsel for the petitioners, learned Government Pleader for Services-I and Sri Kowturi Pavan Kumar, learned Standing counsel for the respondents.

It has been contended by the petitioners that they are working as Village Revenue Officers and are fully eligible and qualified to be deputed for Survey Training in order to become eligible for the next promotion post. The grievance of the petitioners is that the respondents without finalizing the

seniority list as mandated under Rule 3 of the A.P. Village Revenue Officer's Service Rules, 1969 (for short 'Service Rules') are selectively choosing the candidates for Survey Training. Challenging the same, petitioners have filed the present writ petition contending that let the respondents first prioritize the final seniority list of Village Revenue Officers and then send such of those candidates in the final seniority list for Survey training.

Counter affidavit is filed by the 3rd respondent stating that vide proceedings dated 07.08.2017, the final seniority list of Village Revenue Officers was prepared duly following the seniority as per the Service Rules and the candidates who are eligible will be sent for Survey Training as per their turn according to seniority and as per the training schedule.

Learned counsel appearing for the unofficial respondents contends that all the persons who are eligible be sent for Survey Training strictly in accordance with the final seniority list.

This Court, having considered the rival submissions made by the learned counsel on either side, is of the considered view that this Writ Petition can be disposed of directing the respondents to depute the candidates for Survey Training in accordance with the final seniority list prepared by the respondents vide proceedings dt.07.08.2017 and by following Rule 3 of the Service Rules which fixes the priority of candidates to be sent for Survey Training.

With the above observations, the Writ Petition is disposed of. No order as to costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

20.06.2019
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