

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.23963 OF 2018

ORDER:

With the consent of both parties, the writ petition is being disposed of at the stage of admission.

This writ petition is filed seeking a writ of Mandamus, declaring the action of the respondents, more particularly respondent No.2, in issuing the impugned proceedings dated 21.06.2018 sending the petitioner from Karimnagar Municipal Corporation on working arrangements to Nizamabad Municipal Corporation on administrative grounds, as illegal, arbitrary, unconstitutional and contrary to the guidelines issued in G.O.Ms.No.61 dated 24.05.2018 and G.O.Ms.No.182 dated 21.05.2016 issued by respondent No.1 and set aside the same with consequential direction to the respondents to revoke the impugned proceedings dated 21.06.2018 henceforth.

Heard Sri Bethi Venkateshwarlu, learned counsel for the petitioner, and the learned Government Pleader for Services-III.

It has been contended by the petitioner that he has been working as Senior Assistant in Karimnagar Municipal Corporation and was asked to discharge the duties of Senior Assistant in Nizamabad Municipal Corporation on administrative grounds. Challenging the same, the petitioner has filed the present writ petition on the ground that it is contrary to the guidelines issued in G.O.Ms.No.61 dated 24.05.2018 and G.O.Ms.No.182 dated 21.05.2016.

The petitioner has further contended that his wife is an employee in Karimnagar District and he is a permanent employee of Karimnagar Municipal Corporation. The petitioner also contended that the action of the 2nd respondent in deputing him to work in Nizamabad Municipal Corporation on administrative grounds is arbitrary and each Municipal Corporation is a

separate unit for appointment, but the 2nd respondent has deputed him to work in Nizamabad Municipal Corporation contrary to the recruitment Rules.

Therefore, learned counsel for the petitioner submits that the impugned order of the 2nd respondent in deputing the petitioner to work in Nizamabad Municipal Corporation is liable to be set aside and as such requests that appropriate orders be passed in the writ petition by setting aside the impugned order dated 21.06.2018 and also seeks a direction to the respondents to continue the petitioner as Senior Assistant in Karimnagar Municipal Corporation with all consequential benefits.

Learned Government Pleader appearing for the respondents submits that let the petitioner submit a representation to the respondents and thereafter the respondents would consider the case of the petitioner and pass appropriate orders on the representation of the petitioner.

This Court, having considered the rival submissions made by learned counsel for both parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the respondents requesting his repatriation to Karimnagar Municipal Corporation within a period of two weeks from the date of receipt of a copy of this order. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in accordance with law within a period of four weeks thereafter.

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 SHAVILI, J

Dated: 12th June, 2019
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