

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.28080 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 2nd respondent in not disposing of the appeal filed by the petitioner dated 11.11.2019 is 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 reinstate the petitioner as a Technical Assistant with all attendant service benefits and pass such other order or orders.....”

It has been contended by the petitioner that he was appointed as Field Assistant in the year, 2006 and while he was discharging his duties, respondents have terminated his services vide proceedings dated 18.02.2019. Aggrieved by the same, the petitioner preferred an appeal before the 2nd respondent on 11.11.2019. But so far the 2nd respondent has not disposed of the said appeal preferred by the petitioner.

Learned counsel for the petitioner contends that appropriate orders be passed in this writ petition directing the 2nd respondent to dispose of appeal preferred by the petitioner on 11.11.2019 within a reasonable period of time.

Learned Standing counsel appearing for the respondents contends that since the appeal preferred by the petitioner is

pending before 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 dispose of the appeal preferred by the petitioner on 11.11.2019 and pass appropriate orders in accordance with law within a reasonable period of time preferably within three (03) months from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 18-12-2019
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