

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.28187 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“....to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not reinstating the petitioner as Field Assistant under NREGS programme despite having been satisfied with the explanation given about medical surgery undergone by the petitioner and of having a blemishless record in his 13 years of service and also after having themselves recommended reinstatement as per the Office Note file, as illegal, arbitrary, unjustified and violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the Respondents to reinstate the petitioner as Field Assistant of Bapanapally Village, Damaragidda Mandal, Narayanpet District.....”.

Heard Mr.N.S.Arjun Kumar, learned counsel appearing for the petitioner, the learned Government Pleader for Services-II appearing for respondents 1 and 2 and Ms.R.Padma Rekha, learned Standing Counsel appearing for respondent No.3.

It has been contended by the petitioner that he was appointed as a Field Assistant during the year 2006 and ever since, he has been discharging his duties to the best satisfaction of his superiors and every one concerned. While so, during the year 2018, he was placed under suspension vide proceedings dated 18.05.2018 on the alleged ground of poor performance. The petitioner has submitted an explanation stating that he has undergone surgery and due to his ill-health, he could not discharge his duties properly. But, so far, the respondents have not passed any final orders pursuant to placing the petitioner under suspension.

Learned counsel for the petitioner submits that the petitioner has submitted a representation to the respondents on 14.10.2019 requesting to reinstate him into service by duly taking into account the explanation submitted by him. But, so far, the respondents have not passed any orders on the said representation. Therefore, the learned counsel contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 14.10.2019 and pass appropriate orders in accordance with law.

Learned Government Pleader as well as the learned Standing Counsel appearing for the respondents contended that since the representation of the petitioner is pending, the respondents would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 14.10.2019 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 observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 19-12-2019
Prv

