

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.28429 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of the learned counsel for the respective parties.

This writ petition is filed seeking the following relief :-

“.....to issue an appropriate Writ, Order or direction preferably one in the nature of Writ of Mandamus and to declare the action of the respondents in not including the name of the petitioner in the seniority list dated Nil/08/2019 of Panchayat Secretaries Grade-II in Zone-VI atleast after expiry of the punishment orders w.e.f. 28/03/2014 for the purpose of further promotions i.e., Panchayat Secretary Grade-I along with others the said action of the respondents is highly illegal arbitrary unreasonable discriminatory and also inviolation of Art 14 16 and 21 of the Constitution of India and declare the same as bad in law and consequently direct the respondents to include the name of the petitioner in the seniority list of Panchayat Secretaries Grade-II in Zone-VI w.e.f. 28/03/2014 along with others by taking the Judgment of the Honble Supreme Court 1996 SCALE 3 134 dated 05/02/1996 while disposing of the representation dated 27/11/2019 which is pending before the 2nd respondent and with all consequential benefits....”.

Heard Mr.C.Raja Shekar Reddy, learned counsel for the petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that he is working as a Panchayat Secretary and while discharging duties as such, the respondents have imposed punishment of withholding of one annual grade increment without cumulative effect vide G.O.Rt.No.289 dated 03.06.2019 .

The grievance of the petitioner is that though the currency of punishment expired on 27.03.2014, the respondents have not included his name in the seniority list of Panchayat Secretary Grade-II in Zone-VI. Therefore, he submitted a representation to the

respondents on 27.11.2019 requesting to include his name in the seniority list of Panchayat Secretary Grade-II in Zone-VI. But, so far, the respondents have not passed any orders on the said representation nor considered his case for promotion to the post of Panchayat Secretary Grade-I.

Learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 27.11.2019 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents contends 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 27.11.2019 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, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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ABHINAND KUMAR SHAVIL, J

Date: 23-12-2019  
Prv

