

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.5996 of 2006

ORDER :

This writ petition is filed seeking Writ of Mandamus declaring that the petitioner is eligible and entitled for regularisation of her services in the post of Lecturer in Public Administration under the control of the respondents without reference to the cut off date mentioned in G.O.Ms.No.328, dated 15.10.1997 with all consequential benefits by holding the action of the respondents in filling up the existing Aided vacancy of Lecturer in Public Administration by outsiders on redeployment basis from other Aided Colleges, as illegal and arbitrary and violative of Articles 14 and 16 of the Constitution of India.

Heard Sri CH. Jagannatha Rao, learned counsel for the petitioner and the learned Government Pleader for Higher Education appearing for the respondents.

It has been contended by the learned counsel for the petitioner that the petitioner is fully eligible and qualified for appointment to the post of Lecturer in Public Administration. It is submitted that the petitioner was appointed as a Part-time Lecturer in the 1st respondent College on 29.06.1998. Learned counsel for the petitioner contended that though the petitioner is discharging her duties in Aided vacancy, the respondents are not considering her case for absorption in the said Aided

vacancy, therefore, it is contended that the said action of the respondents in not regularising her services as Lecturer in Public Administration in the said Aided vacancy in the 1st respondent College is arbitrary and illegal. Learned counsel for the petitioner, therefore, contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for absorption into the Aided vacancy by duly taking into account the fact that the petitioner has been discharging her duties as a Lecturer in Public Administration since more than 20 years.

The learned Government Pleader for Higher Education contended that the case of the petitioner would be considered for absorption into Aided vacancy, provided the 1st respondent college submits proposals for absorption of the petitioner into Aided vacancy and appropriate would be passed in accordance with law.

Having considered the rival submissions of the learned counsel for the respective parties, this Court is of the considered view that this writ petition can be disposed of directing the respondents to submit fresh proposals for absorption of the petitioner into Aided vacancy, provided the petitioner is still working as a Lecturer in Public Administration in the 1st respondent College, within a period of two (2) weeks from the date of receipt of a copy of this order. Upon such proposal being submitted by the 1st respondent College, the

competent authority i.e., respondent No.3 – Director of Collegiate (Higher) Education shall consider the same and pass appropriate orders in accordance with law within a further period of four weeks.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

28.01.2019.
Msr

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