

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.23958 of 2014

ORDER

This Writ Petition is filed seeking the following relief:

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus (a) declaring the proceedings of 2nd respondent in R.C.No. D1/38203/2014, dated 30.06.2014 and consequential proceedings of 3rd respondent in R.C.No.B1/472/2013, dated 01-08-2014 as bad, illegal and violation of principles of natural justice and set aside the same and consequentially direct the respondents to reinstate the petitioner as Srimadramayana Parayanadhar Grade-II and further direct the respondents to continue the petitioner as Srimadramayana Parayanadhar Grade-II in terms of his appointment orders issued in R.C. No.B1/472/2013 dt 12.03.2014 of the 3rd respondent with all consequential service benefits and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case. ”

Heard Sri W.B.Srinivas, learned counsel appearing for the petitioner, learned Government Pleader for Endowments appearing for respondent Nos.1 and 2 and learned Standing Counsel appearing for respondent No.3.

It is the case of the petitioner that he is fully eligible and qualified to be appointed as Srimadramayana Parayandar, Grade-II. The 3rd respondent issued notification inviting applications to fill up said post. Pursuant to the

same, the petitioner submitted his application. Thereafter, he was subjected to interview by the Selection Committee. After undergoing regular selection process, he was selected and appointed as Srimadramayana Parayandar, Grade-II in the time scale of Rs.8440-24950 *vide* proceedings dated 12.3.2014. Since then, he is discharging his duties as such to the best satisfaction of his superiors. While so, the 2nd respondent had cancelled the appointment order of the petitioner *vide* proceedings dated 30.06.2014 on the ground that the 3rd respondent has not followed the procedure prescribed, but, however, permitted the petitioner to work as Srimadramayana Parayandar, Grade-II, on outsourcing basis with a monthly remuneration of Rs.12,000/- with effect from 01.08.2014. Challenging the same, the present writ petition is filed.

While ordering notice before admission on 22.08.2014, this Court directed respondent Nos.2 and 3 to continue the petitioner as Srimadramayana Parayandar, Grade-II.

Learned counsel appearing for the petitioner submits that the State Government has issued G.O.Rt.No.121, dated 09.03.2018, according permission to the Commissioner, Endowments Department to consider post-facto relaxation of the procedure prescribed in Rule 46 of the Telangana

Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Service Rules, 2000 (for short 'the Rules') issued in G.O.Ms.No.888, dated 08.12.2000 and the ban imposed *vide* G.O.Ms.No.1997, dated 18.10.2005 in respect of the employees appointed prior to 02.06.2014 including full time employees appointed on contract/consolidated/NMR basis, as one-time measure, subject to possession of the qualifications as prescribed under the Rules and that appropriate orders be passed directing the respondents to consider the case of the petitioner in terms of the said G.O.

Learned Government Pleader as well as learned Standing Counsel appearing for the respondents submits that the petitioner is being continued as Srimadramayana Parayandar, Grade-II, on outsourcing basis and that the case of the petitioner would be considered in terms of the said G.O and appropriate orders would be passed by the 2nd respondent.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the 2nd respondent to consider the case of the petitioner in terms of G.O.Rt.No.121, dated 09.03.2018 for appointment on regular basis as Srimadramayana

Parayandar, Grade-II, within a period of two months from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

3rd July, 2019
rkk

