

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.34030 of 2011

ORDER:

This writ petition is filed seeking the following relief :-

“.....to issue a writ or order or direction, especially one in the nature of writ of Mandamus (a) declare the action of the respondents in not issuing the orders of appointment as Conductors on contract basis to the petitioners as illegal and arbitrary (b) consequently direct the respondents to issue orders of appointment to the petitioners as Conductors on contract basis along with others, duly granting all other consequential benefits”.

Heard Mr.K.Vasudeva Reddy, learned counsel for the petitioners and the learned Standing Counsel for the respondents.

It has been contended by the petitioners that they are fully eligible and qualified to be appointed as conductors and pursuant to the Notification issued by the respondents on 20.02.2010 inviting applications for appointment to the post of conductors on contract basis, they have responded to the said Notification and after undergoing regular selection process, their names were short-listed for appointment as conductors. However, for the reasons best known to them, so far, the respondents have not issued any appointment orders to them. Therefore, they have filed the present writ petition seeking a direction to the respondents to appoint them as conductors by duly taking into account their merit in the said selection process.

Learned counsel appearing for the petitioners submits that during pendency of this writ petition, the 1st petitioner was given appointment order and, therefore, the cause in the writ petition insofar as the 1st petitioner does not survive for adjudication and the

present writ petition is being pursued in respect of petitioners 2 and 3 only. Therefore, the learned counsel submits that appropriate orders be passed in the writ petition directing the respondents to consider the cases of petitioners 2 and 3 for appointment to the post of conductors by duly taking into account their merit in the selection process and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents contended that the cases of petitioners 2 and 3 would be considered and appropriate orders would be passed in accordance with law, if petitioners 2 and 3 submit a fresh representation.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing petitioners 2 and 3 to submit a fresh representation to the respondents within two weeks from the date of receipt of a copy of this order. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in accordance with law within a period of four weeks thereafter.

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: 28-08-2019
Prv

