

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.27854 of 2017

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 for the inaction on the part of the respondents in absorbing/ regularising the service of the petitioner in a clear aided vacant post of Librarian/ LDC Junior Assistant in the 5th respondent college as illegal, arbitrary, unconstitutional and violation of Articles 14, 16, 39 (d) of the Constitution of India and consequently direct the respondents to absorb/ regularise the services of the petitioner in a clear Aided Vacant post of Librarian/ LDC (Junior Assistant) in the 5th respondent college as continuity of service for pensionary benefits along with difference of arrears of pay to the petitioner w.e.f. 08.03.2004 by fixing the pay scale including the seniority and for further promotion of the petitioner in the 5th respondent college”

Heard Mr.S.Rajeshwar Reddy, the learned counsel for petitioner and the learned Government Pleader for Education.

It has been contended by the petitioner that he is fully eligible and qualified to be appointed to the post of Librarian/Junior Assistant. The 5th respondent has issued Notification on 22.11.2003 for filling up the post of Librarian. The petitioner has responded to the said Notification and after undergoing regular selection process, he was selected and appointed as Librarian/Junior Assistant on 08.03.2004. The 5th respondent has submitted proposal to the 3rd respondent on 29.06.2017 for absorption of the petitioner in an aided vacancy. But, so far, the 3rd respondent has not passed any orders on the said proposal submitted by the 5th respondent.

Learned counsel for petitioner submits that appropriate orders be passed in the writ petition directing the 3rd respondent to

consider the proposal submitted by the 5th respondent and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents has submitted that there is no aided vacancy of Librarian in the 5th respondent college. However, the 3rd respondent will consider the proposal submitted by the 5th respondent and pass appropriate orders in accordance with law.

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 the 3rd respondent to consider the proposal submitted by the 5th respondent on 29.06.2017 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.

ABHINAND KUMAR SHAVILI, J

Date: 31-07-2019
Prv

