

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.47828 of 2018

ORDER:

This writ petition is filed seeking a Writ of Mandamus, declaring the impugned action of respondents in not regularizing the services of petitioners though they rendered more than 33 years of uninterrupted service as Librarians against clear vacancies under the control of respondents and even not paying time scale attached to the said post and paying only paltry wages, as illegal, arbitrary, discriminatory and contrary to G.O.Ms.No.212, dated 22.04.1994 and the dicta laid down by the Apex Court in **B.Srinivasulu's** case and also recent judgment in W.P.No.33936 of 2011 and batch, dated 02.05.2018 and sought a consequential direction to the respondents to regularize the services of petitioners from the dates of completion of 5 years i.e. 21.12.1990, 30.11.1988, 20.06.1991 and 28.03.1993 respectively, with all consequential benefits.

Heard Sri Ch.Ganesh, counsel for petitioners and Government Pleader for Services-I, appearing for respondents.

It has been contended by the petitioners that they were initially appointed as Librarians with the respondents during the years from 1983 to 1988 and all the petitioners have completed more than 5 years of service by the time the State Government

has taken a policy decision to regularize all temporary employees vide G.O.Ms.No.212, dated 22.04.1994. It is contended that all the petitioners have completed 5 years of service as on the cut-off date i.e. 25.11.1993 mentioned in the said G.O. The grievance of the petitioners is that though they have completed more than 5 years of service, the respondents are not considering their cases for regularization. Counsel for petitioners further contend that appropriate orders be passed in the writ petition directing the respondents to regularize the services of petitioners in terms of G.O.Ms.No.212, dated 22.04.1994 by duly taking into account the judgment rendered by the Hon'ble Supreme Court in **B.Srinivasulu v. Nellore Municipal Corporation in Civil Appeal No.6318 of 2015, dated 17.08.2015** and also the orders passed in W.P.No.33936 of 2011 and batch, dated 02.05.2018 and pass appropriate orders.

The learned Government Pleader appearing for respondents submits that the cases of the petitioners would be considered in terms of G.O.Ms.No.212, dated 22.04.1994 and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions of the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the cases of the petitioners for regularizing their services strictly in terms of

G.O.Ms.No.212, dated 22.04.1994 and also by duly taking into account the judgments referred to supra and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

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

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

30th January 2019

ajr