

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.48134 of 2018

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the inaction of the 1st respondent in considering and disposing of the representation of the petitioner dated 26.11.2018 seeking promotion to the post of Junior Assistant in the office of the 1st respondent as bad in law and violative of principles of natural justice.

Heard Sri B.Sudhakar Reddy, learned counsel for the petitioner and learned Government Pleader for Services I.

The case of the petitioner is that he was initially appointed as watchman on 1.6.2006 and his services were regularized as watchman in the Andhra Pradesh Last Grade Services. The petitioner has passed intermediate and completed 12 years of service in the cadre of office subordinate. The petitioner contends that he is fully eligible and qualified for promotion to the post of Junior Assistant and submitted a representation on 26.11.2018 requesting the 1st respondent to consider his case for promotion to the post of Junior Assistant in the existing vacancy.

Learned counsel for the petitioner contends that though the petitioner has submitted representation to the 1st respondent seeking promotion to the post of Junior Assistant, the same is not considered. He further contends that right to be considered for promotion is a fundamental right and since the 1st respondent has not considered the

case of the petitioner for promotion, in accordance with the rules, appropriate orders may be passed in the writ petition directing the 1st respondent to consider his case for promotion to the post of Junior Assistant in the existing vacancy.

Learned Government Pleader appearing for the respondents would contend that the case of the petitioner will be considered as and when the respondents fill up the post of Junior Assistant, in accordance with law.

This Court having considered the submissions made by both the parties, is of the considered view that this writ petition can be disposed of directing the 1st respondent to consider the representation submitted by the petitioner on 26.11.2018 seeking promotion to the post of Junior Assistant and pass appropriate orders in accordance with rules, 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.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 02/01/2019

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