

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.20368 of 2018

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking the following relief:

“...to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not selecting the petitioner for the post of I.D Assistant and awarding nil marks for typewriting and not conducting viva voce test as notified as wholly illegal, arbitrary, violative of Articles 14, 16 and 21 of the Constitution of India and consequently declare that the petitioner is entitled for selection basing on the marks secured in the written examination and by awarding minimum marks for typewriting and pass such other and further order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Heard Sri Ravi Kondaveeti, counsel for the petitioner, and the Special Government Pleader appearing for the respondents.

It has been contended by the petitioner that he is working as Police Constable and the respondents have issued notification on 03.02.2017 for filling up vacancies of I.D Assistants in Intelligence Department, Hyderabad, by appointment by transfer. It is stated that the petitioner is eligible and qualified to be appointed as I.D Assistant and, as such, he has responded to the said notification. After undergoing regular selection process, the petitioner got qualified in the written examination and the next test for selection was typewriting

examination. The petitioner had participated in the typewriting examination, but to his misfortune, the matter typed by him in the typewriting examination could not be saved due to technical error and the petitioner was not permitted for further selection i.e., viva test. In those set of circumstances, the petitioner has submitted a representation to the respondents on 16.05.2018 requesting them to give one more opportunity to participate in typewriting test and to consider his case for appointment to the post of I.D Assistant, but so far the respondents have not passed any orders on the said representation.

Therefore, counsel for the petitioner had contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner and pass appropriate orders in accordance with law.

The Special Government Pleader appearing for the respondents had contended that since the petitioner's representation is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 16.05.2018 and pass appropriate orders in accordance with law, within a

reasonable period of time, preferably within three months from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

19.11.2020
v v

