

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

W.P.No. 33655 of 2022

ORDER:

This writ petition has been filed seeking a writ of mandamus to declare the 162nd meeting of executive counsel, Osmania University held on 30.09.2021 with regard to the filling up the post of Chief Engineer, University Building Division, Osmania University as contrary to the G.O.Ms.No.103, Transport, Roads and Buildings Department, dated 22.05.1996 and to declare the order No.MR-335/544/64/Admn.III, dated 02.11.2021 appointing the 2nd respondent as Chief Engineer and delegating to him the powers on par with the Chief Engineers of State Government, as illegal and void and consequently to direct the respondents to consider the claim of the petitioner to the post of Chief Engineer with effect from the date of eligibility of the writ petitioner in terms of G.O.Ms.No.103, dated 22.05.1996.

2. The brief facts leading to the filing of the present writ petition are that the petitioner was appointed as Assistant Engineer in the year, 1984 and presently he is working as Superintending Engineer. It is submitted that the petitioner is eligible for further promotion to the post of Chief Engineer, but without considering the promotion of the petitioner, the 1st respondent had promoted the 2nd respondent

as Chief Engineer, ignoring the provisions of G.O.Ms.103, dated 22.05.1996. Challenging the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioner and Sri.Ch.Jagannadha Rao, learned Standing counsel for the respondents.

4. Learned counsel for the petitioner submits that the petitioner has submitted his representation dated 29.08.2022 to the respondents, a copy of which is filed along with I.A.No.2 of 2022 and seeks directions to the respondents to consider and dispose of the representation of the petitioner pending disposal of the writ petition.

5. However, after hearing the learned counsel for 1st respondent and also learned counsel for the petitioner, this Court deems it fit and proper to dispose of the writ petition itself at the admission stage by directing the 1st respondent to consider the representation of the petitioner dated 29.08.2022 and dispose of the same in accordance with law after hearing both the petitioner as well as the 2nd respondent. The representation shall be disposed of as per rules within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall also stand closed.

JUSTICE P.MADHAVI DEVI

Date: 05.09.2022

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THE HONOURABLE SMT. JUSTICE P. MADHAVI DEVI

WRIT PETITION No. 33655 of 2022

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