

[3255]

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION (TR) NO: 2068 OF 2017

Between:

S. Kistaiah, S/o late S. Pentaiah, aged 52 years, working as Dy.Execlltive Engineer O/o. The Deputy Executive Engineer, (R&B) Sub-Division, Suryapet, Nalgonda District. R/o H.No. 5-4-1/B3, Mahaboobnagar.

...Applicant

AND

1. The Government of Andhra Pradesh, rep. by its Principal, Secretary T(R&B) Department, Secretariat, Hyderabad-22.
2. The Engineer-in-Chief (Admn) R&B Department, Erramanzil, Hyderabad-482.
3. The Executive Engineer (R&B) Division, NALGONDA.508001,

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to declare the action of the 2nd respondent in not fixing the seniority of the applicant from the date of his initial joining in the category of AEE i.e. 5-2-1991, and showing his initial date of joining in the category of AEE as 6-4-1992 in the Seniority list dated: 27-11-2009 and did not considering the representation of the applicant dated: 20-12-2013 to that effect, till today as illegal arbitrary and violation of principles of natural justice, and consequently direct the respondents to refix the seniority of the applicant in the cadre of AEE duly taking his initial appointment i.e. 5-2-1991 in to consideration and following Rule of Reservation (ROR), and to pass such other order or orders.

I.A. NO: 1 OF 2017(WVMP(TR). NO: 445 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the interim orders granted in OA.No. 2917/2014 on 24.04.2014.

Counsel for the Petitioner: SRI. RAMALINGESWARA RAO KOCHARLA KOTA

Counsel for the Respondents: --

The Court made the following: ORDER

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION (TR) No. 2068 OF 2017

ORDER:

This writ petition is filed to declare the action of the 2nd respondent in not fixing the seniority of the applicant from the date of his initial joining in the category of AEE i.e. 05.02.1991 and showing his initial date of joining in the category of AEE as 06.04.1992 in the Seniority list dated 27.11.2009 and in not considering the representation of the applicant dated 20.12.2013 to that effect till today as illegal, arbitrary and consequently direct the respondents to re-fix the seniority of the applicant in the cadre of AEE duly taking his initial appointment i.e 05.02.1991 in to consideration and following Rule of Reservation (ROR).

2. Learned counsel for the petitioner submits that the then Andhra Pradesh Administrative Tribunal, Hyderabad by an order dated 24.04.2014 passed the following interim order:-

"Pending disposal of the O.A., the second respondent is directed to consider the representation of the applicant dated 20.12.2013 and pass appropriate orders as per Rules and on merits, within a period of Six weeks from the date of receipt of a copy of this Order."

It is further submitted that in view of the directions issued in the interim order, dated 24.04.2014, the respondents authorities have dealt with the representation of the petitioner as per Rules

and passed speaking order *vide* Memo No.3616/Ser.III(1)/2014, dated 20.10.2014, and in view of the same no further orders are required in the Writ Petition (TR).

3. Recording the submissions made by the learned counsel for the petitioner, this Writ Petition (TR) is closed.

4. Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

GP
SECTION OFFICER

To,

1. One CC to Sri Ramalingeswara Rao Kocharla Kota, Advocate [OPUC]
2. Two CD Copies

CHR
GJP

BSR

HIGH COURT

DATED:10/01/2023

ORDER

W.P.(TR).No.2068 of 2017



CLOSING THE WRIT PETITION (TR)
WITHOUT COSTS

4
27/01/23
BSR