

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION(TR) No. 3463 OF 2017

ORDER:

This present writ petition(TR) has been filed seeking to “*declare action of the respondents not continuing the applicant as Village Servant by following the vota-bandhi system which is not in existence in view of the AP Village Servants rules 2005, issued in GO Ms No.1849, dated 28.10.2005 as illegal and consequently to direct the respondents to consider the claim of the applicant for continuation as Village Servant without any interruption in accordance with AP Village Servants rules 2005 issued in GO Ms No.1849, dated 28.10.2005 by extending the benefit of the judgment of the Tribunal in OA No.1074 of 2014, dated 13.10.2008 with all consequential benefits.*”

2. Today when the matter has been taken up for hearing, learned Government Pleader for Services-II, appearing for respondents submits that respondent No.5, filed counter-affidavit and para Nos.4 & 5 reads as under:

“4. The applicant did not challenge the order passed by the District Revenue Officer, Medak, Dated 08.02.2001, even till today and after the lapse of 14 years simply filed application before the Respondent No.3 (District Collector, Medak) on 10.02.2015 only with a malafide intention for the purpose of filing this application. Hence this application filed after lapse of 14 years is not maintainable.

5. *The G.O.Ms.No. 1849, dated 28.10.2005 is not applicable to the instant case, in view of the fact that the appointment of respondent No.6 by District Revenue Officer passed on 08.02.2001, which was passed much prior to the said G.O., dated 28.05.2005 (4 years prior to the said G.O.). Even otherwise the order passed by the District Revenue Officer became final and unchallenged since 08.02.2001 by the applicant herein. Without challenging the order passed by the District Revenue Officer, the applicant cannot maintain this application as against this office, hence on this count alone the application is liable to be dismissed."*

3. Learned counsel for the petitioner has fairly acceded the facts stated by the learned Government Pleader for Services-II and submits that no further orders are required to be passed in this writ petition(TR).

4. In view of the submission made by both the learned counsel on either side, this writ petition(TR) is dismissed. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

N.V.SHRAVAN KUMAR,J

20.02.2023
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