

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO.21543 OF 2013

Between:

T. Srinu, S/o Satyanarayana, age 41 years, Contract Labour, KTPS Vth Stage, APGENCO., R/o Old Palvoncha, Khammam District. (H.T.No.6013)

...PETITIONER

AND

1. The A.P. GENCO., rep. by its Chairman and Managing Director, Vidyut Soudha, Hyderabad.
2. The Chief General Manager (HR), APGENCO., Vidyut Soudha, Hyderabad.
3. The Managing Director, APGENCO., Vidyut Soudha, Hyderabad.
4. The Chief Engineer, KPTS Vth Stage, APGENCO., Palvoncha, Khammam District.

...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 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 Junior Plant Attendant along with other contract labour vide Memo dt.28-06-2013 issued by the 3d respondent in pursuance to the directions of this Hon'ble Court passed in C.C.No.1527/2001 & batch, as highly illegal, arbitrary and contrary to the orders passed in W.P.No.23439/99 and batch, C.C.No.110/2001 and C.C.No.1527/2001 and batch and consequently direct the respondents to appoint the petitioner as Junior Plant Attendant in the respondent

organization in pursuance to the orders passed in C.C.No.1527/2001 and batch dt. 18-04-2002.

I.A. NO: 1 OF 2013(WPMP. NO: 26363 OF 2013)

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 direct the respondents to include the name of the petitioner in the selection list of the Junior Plant Attendant along with other contract labour vide memo dt.28-06-2013 issued by the 3rd respondent as per the orders passed in C.C.No.1527/2001 & batch dt.18- 04-2002 pending disposal of the writ petition.

Counsel for the Petitioner: SRI N. M. KRISHNAIAH

Counsel for the Respondents: SMT. K. UDAYA SRI

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.21543 OF 2013

ORDER:

This Writ Petition is filed challenging the action of the respondents in not selecting the petitioner for the post of Junior Plant Attendant in the respondent Organization, in terms of the Notification, dated 02.01.1999, and issuing Memo, dated 28.06.2013.

2. The case of the petitioner is that he has been working in the respondent Organization as Contract Labour since 1996 and the respondent Organization issued a notification for appointment of Junior Plant Attendants on 02.01.1999. In pursuance of the said notification, the petitioner submitted his application and basing on the marks obtained in the ITI Test, he appeared for the interview on 25.11.1999, *vide* Hall Ticket No.6013. It is the further case of the petitioner that after the selection process was started, the respondent Organization issued Memo, dated 06.09.1999, awarding 30-40% of weightage marks to the particular contract labourer working in the organization. Challenging the said memo, W.P.No.23439 of 1999 and batch were filed before this Court and this Court disposed of the said writ petitions *vide* common order, dated 06.09.2000, restricting the weightage marks to 10% and directed the respondents to award marks to all the contract labour and conduct selections.

3. Heard both sides.

4. The respondents filed counter affidavit stating that the petitioner belongs to BC-B Category and that he applied to the post of Junior Plant Attendant as per notification, dated 02.02.1999, appeared for examination with Call Letter No.3362 and secured a total of 58.12 marks and that the last meritorious candidate selected under the BC-B Category had secured 80.84 marks. Therefore, the petitioner was not within the zone of consideration for the post of Junior Plant Attendant (Electrician Trade). It is further stated that as per the order of this Court in C.C.No.110 of 2001 and batch, there was a direction to the respondents to limit the consideration only to the petitioners who were part of the batch of writ petitions and contempt cases. As the petitioner herein was not a party to the batch of said writ petitions and contempt cases, he is not entitled to be considered for the post of Junior Plant Attendant, as the orders of this Court, dated 06.09.2000, passed in W.P.No.23439 of 1999 and batch. Hence, prayed for dismissal of this writ petition.

5. In view of the above submissions, this Court is of the view that the present writ petition is devoid of any merits and the same is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty submit a representation to the respondents, ventilating his grievance, if any, within a period of two (02) weeks from the date of receipt

of a copy of this order. On receipt of any such representation from the petitioner, the respondents are directed to consider the same and pass appropriate orders, in accordance with law, within a period of four (04) weeks thereon.

Miscellaneous applications, if any, pending in this writ petition, shall stand closed. No costs.

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SD/-V.KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

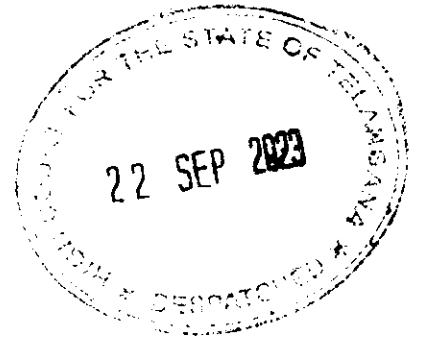
1. One CC to SRI N. M. KRISHNAIAH, Advocate [OPUC]
2. One CC to SMT. K. UDAYA SRI, Advocate [OPUC]
3. Two CD Copies

MP
GJP

§

HIGH COURT

DATED:21/08/2023



ORDER

WP.No.21543 of 2013

**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

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