

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY**

**WRIT PETITION No.26472 of 1996**

**DATED: 28-2-2007**

**Between:**

**B.Ravi Naik**

**... Petitioner.**

**And**

**The Commissioner for Co-operation &  
Registrar of Co-operative Societies, A.P.,  
Hyderabad.**

**And others.**

**... Respondents.**

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**ORDER:**

In this writ petition, the petitioner sought for a writ of mandamus to declare the action of the respondents 3 and 4 in appointing respondent No.5 as Assistant Clerk without conducting any interview as illegal, arbitrary and offending Article 14, 16, and 21 of the Constitution of India.

In the affidavit filed in support of the writ petition the petitioner claimed that he registered himself in the employment exchange of Chittoor district in the year 1987 and that on seeing the employment notification issued by respondents 3 and 4, he applied on 6.4.1996. The petitioner says that subsequently he was not called for interview, but however, his enquiries revealed that respondents 3 and 4 appointed respondent No.5 as Assistant Clerk merely for the reason that he happens to be the brother of one of the directors of the Bank, namely, Sri P.Srinivasulu. It is also mentioned that Mr.Jayachandra Naidu was appointed as Clerk and Mr.R.Madhukar was appointed as Bill Collector as they were relatives of Chairman of Madanapally Co-operative Town Bank Limited. Similar allegations are made to the effect that the relatives and followers of the Chairman and Directors of the Bank

were being appointed.

A counter affidavit has been filed by the Chief Executive Officer of M/s. Madanapally Co-operative Town Bank Limited, Madanapally in which aforementioned allegations were denied. In para-8 of the counter affidavit it is stated as under:

“ As there was no intimation from the Employment exchange there was no further progress in conducting the interviews nor in filling up the vacancies. All the applications received after the advertisement in the news paper are still pending and no one including the petitioner herein had not been intimated about the interview as there was no further progress. Till date no interview has been conducted pursuant to the paper advertisement nor have the vacancies been filled up.”

In para-11 the deponent of the counter affidavit reiterated that no interviews for the post have taken place and no vacancies have been filled up. The allegation that the contingent employees are all relatives of the Chairman and Directors of the Bank is also specifically denied.

In view of the assertions in the counter affidavit and non-denial by the petitioner by way of any rejoinder, I have no reason to disbelieve the version of the Bank that no vacancies were filled up in pursuance of employment notification, in response to which petitioner alleged to have applied. In view of the same, the petitioner's grievance is only illusory and does not merit consideration.

For the aforementioned reason, the writ petition is dismissed. No order as to costs.

Date:28.02.2007  
mdaa

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C.V.NAGARJUNA REDDY,J