

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos.7178, 7312 AND 7545 of 2019

COMMON ORDER:

These three writ petitions are being disposed of by way of this common order as the issue raised in these writ petitions is one and the same.

W.P.No.7178 of 2019 is filed seeking the following relief:

“...to issue a writ, order or direction one in the nature of mandamus, declaring the action of the respondents not filling the un-filled women vacancies without filling up the said vacancies with male candidates particularly the petitioners herein as Junior Asst. Grade-II, NCWA Cadre, who are in final merit list candidates, vide Notification vide Ref.No.CRP/PER/R/05/2018/786, dated 29.08.2018, as illegal, arbitrary, unconstitutional, against the principles of natural justice and consequently direct the respondents to fill up the un-filled BC-A & BC-B women vacancies with the petitioners herein with reference to the final merit list of candidates who stand at Sl.Nos.265, 272 & 306 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

W.P.No.7312 of 2019 is filed seeking the following relief:

“...to issue a writ, order or direction one in the nature of mandamus, declaring the action of the respondents not filling the un-filled women vacancies without filling up the said vacancies with male candidates particularly the petitioners herein as Junior Asst. Grade-II, NCWA Cadre, who are in final merit list candidates, vide Notification vide Ref.No.CRP/PER/R/05/2018/786, dated 29.08.2018, as illegal, arbitrary, unconstitutional, against the principles of natural justice and consequently direct the respondents to fill up the un-filled BC-D & BC-B women vacancies with the petitioners herein with reference to the final merit list of

candidates who stand at Sl.No.152, 191, 165, 171 & 196 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

W.P.No.7545 of 2019 is filed seeking the following relief:

“...to issue a writ, order or direction one in the nature of mandamus, declaring the action of the respondents not filling the un-filled women vacancies without filling up the said vacancies with male candidates particularly the petitioner herein as Junior Asst. Grade-II, NCWA Cadre, who are in final merit list candidates, vide Notification vide Ref.No.CRP/PER/R/05/2018/786, dated 29.08.2018, as illegal, arbitrary, unconstitutional, against the principles of natural justice and consequently direct the respondents to fill up the un-filled OC-women vacancies with the petitioner herein with reference to the final merit list of candidates who stands at Sl.No.159 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri P. Vinod Kumar, counsel for petitioners and Sri J. Sreenivasa Rao, Standing Counsel appearing for respondents.

It has been contended by the petitioners that the respondents have issued a recruitment notification, dated 29.08.2018, for filling up the vacancies of Junior Assistant Grade-II. The petitioners have responded to the said notification and after undergoing regular selection process, they came within the zone of consideration. However, the cases of petitioners were not considered on the ground that some posts are earmarked for women candidates. It is contended that the State Government has issued orders in G.O.Ms.No.237, dated 28.05.1996 to the effect that wherever there are no woman candidates, the said posts, which were earmarked for women, can be filled up with men. It is

contended that though the respondent-Company adopted the said G.O., the cases of petitioners were not considered for appointment to the post of Junior Assistant Grade-II. Therefore, counsel for petitioners contends that appropriate orders be passed in the writ petition directing the respondents to consider the cases of petitioners for appointment to the post of Junior Assistant Grade-II and pass appropriate orders in accordance with law.

The Standing Counsel appearing for respondents has contended that the cases of petitioners would be considered and appropriate orders would be passed if only the petitioners submit representation afresh to the respondents, staking their claim for appointment to the post of Junior Assistant Grade-II.

This Court, having considered the rival submissions made by the parties, is of the considered view that these writ petitions can be disposed of directing the petitioners to submit representation afresh to the respondents within a period of two weeks from the date of receipt of a copy of this order, staking their claim for appointment to the post of Junior Assistant Grade-II. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in another six weeks thereafter.

With the above observations, these writ petitions are disposed of.
No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J