

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE MRS. JUSTICE ANIS

WRIT PETITION No. 22264 OF 2002

ORDER: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

This Writ Petition is preferred against the order passed by the Andhra Pradesh Administrative Tribunal in O.A.No. 2803 of 2002 on 14.03.2002.

O.A. was instituted by the petitioner herein. That O.A. along with several other cases came to be decided by the Tribunal by its common order dated 14.03.2002. In paragraph 5 of the order passed by the Tribunal, it was clearly brought out that this Court, entertaining a batch of cases namely Writ Petitions No. 10586 of 1999 and batch, which was decided on 20.08.2000, ordered that as there are 912 vacancies left unfilled and there are also more number of qualified candidates amongst the writ petitioners, the cases of all such candidates should be considered for selection against the 912 posts of Special Teachers, after preparing the names of the candidates in the descending order of merit. In that process, the names of the candidates have been arranged and the marks secured by each candidate have been taken into account and consideration for preparation of the said merit ranking. If, in that process, there are more number of meritorious candidates than the petitioner herein and if they are appointed, no exception need be taken to the principle inasmuch as it is the relative merit of the candidate at the competitive examination which will fetch the appointment against the notified vacancy and not necessarily that all those who are qualified should get appointed. When once limited number of vacancies are notified, though there may be a good number such as 912, but still, the candidates depending upon the *inter se* merit alone would get selected and appointed, but not necessarily all those people, who have qualified in the competitive examination. Qualifying in the competitive examination is only one element of the selection process. In other words, it fetches such a candidate right to be considered, but however, if there are more number of candidates meritorious than him, then no one can complain of eventual non-selection for appointment of a particular candidate. Hence, we do not find any merit in this Writ Petition and it is accordingly, dismissed. No costs.

Consequently, the miscellaneous applications, if any shall also stand dismissed.

NOOTY RAMAMOHANA RAO, J

ANIS, J

12th October 2015

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