

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 1133 OF 2015

ORDER:

The petitioner herein, who is working as a Librarian with the Andhra Pradesh Social Welfare Residential Schools Society, seeks a writ of mandamus for declaring the institute where he is working as falling within the definition of 'State' for the purpose of Article 12 of the Constitution and on that basis, direct the 2nd respondent to consider his candidature for recruitment as Librarian in degree colleges against one of the vacancies notified.

The Andhra Pradesh Public Service Commission, Hyderabad has published notification No. 23 of 2012 on 29.12.2012 inviting applications from the suitable candidates for recruitment to the post of Librarian in various government colleges. The process of recruitment undertaken by the Public Service Commission is with regard to the recruitment to the service of the Education Department of the State of Andhra Pradesh. All service disputes, commencing from process of recruitment right up to retirement with regard to government servants, fall within the broad description of 'service disputes' over which jurisdiction to try them, at the first instance, has been conferred upon the Andhra Pradesh Administrative Tribunal, in accordance with Section 14 of the Administrative Tribunals Act, 1985. As declared by the Supreme Court in *L. Chandra Kumar v. Union of India*^[1], all such service disputes concerning the government servants have got to be agitated before the Administrative Tribunal, at the first instance, before any judicial review exercise can be called for thereafter. Any dispute or *lis* concerning the eligibility of a candidate vis-à-vis the process of recruitment initiated for government service, the same therefore, has to be agitated before the Andhra Pradesh Administrative Tribunal, at the first instance.

For the aforesaid reason, this Writ Petition stands dismissed at the admission stage, preserving liberty to the petitioner to approach the Andhra Pradesh Administrative Tribunal. No costs.

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

NOOTY RAMAMOHANA RAO, J

04th February 2015

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[\[1\]](#) (1997) 3 SCC 261