

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

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AND

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THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

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WRIT PETITION No. 12406 of 2004

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ORDER: (per Hon'ble Sri Justice G. Chandraiah)

This writ petition is filed seeking a mandamus to the respondents to consider the case of the petitioner for appointment as Secondary Grade Teacher in pursuance of the notification dated 11.05.2001, with all consequential benefits such as seniority, arrears of salary etc., and also to declare that the judgment dated 26.04.2004 in O.A.No.9965 of 2001 on the file of the Andhra Pradesh Appellate Tribunal, as illegal.

2. The petitioner is one of the applicants to the post of Secondary Grade Teacher in GVVK Schools, pursuant to the notification dated 11.05.2001. His grievance precisely in this writ petition is that the respondents have violated the G.O.Ms.No.3, Social Welfare Department, dated 10.01.2000, and also not followed the procedure contemplated in G.O.Rt.No.204, Social Welfare (TW.Edn.II) Department, dated 10.04.2000, while making selections to the post of Secondary Grade Teacher in GVVK Schools, thereby the petitioner could not get selected to the post. Challenging the action of respondents in not selecting him for appointment to the post of Secondary Grade Teacher, the petitioner approached the Andhra Pradesh Appellate Tribunal by filing O.A.No.9965 of 2001. The Tribunal, by orders dated 26.04.2004, dismissed the application. Questioning the dismissal and assailing the action of respondents in not selecting him to the post of Secondary Grade Teacher, the petitioner is before this Court with this writ petition.

3. A perusal of the orders of the Tribunal would show that the Tribunal, after hearing both the parties, was satisfied that there was no violation of G.O.Ms.No.3, Social Welfare Department, dated 10.01.2000, or the procedure contemplated in G.O.Rt.No.204, Social Welfare (TW.Edn.II) Department, dated 10.04.2000, and hence dismissed the O.A., holding that the selections were done in proper manner.

4. Learned Government Pleader brought to the notice of this Court that the learned counsel for the petitioner is no more. In normal circumstances, notice should go to the petitioner to make alternative arrangement. However, learned Government Pleader submits that the subject matter relates to the notification dated 11.05.2001 and the petitioner was unsuccessful and further the petitioner has not made the selected candidates a party to the proceedings before the Tribunal. Learned Government Pleader further submits that the procedure contemplated in G.O.Ms.No.3, Social Welfare Department, dated 10.01.2000, and G.O.Rt.No.204, Social Welfare (TW.Edn.II) Department, dated 10.04.2000, was not violated and that the Tribunal also held that there is no violation of the G.Os., and the selection procedure followed by the respondents was correct. In that view of the matter, learned Government Pleader submits that nothing survives in the writ petition and the matter has become infructuous.

5. In view of the submission made, the writ petition is dismissed as infructuous. No costs. Pending miscellaneous petitions shall stand closed.

G. CHANDRAIAH, J

U. DURGA PRASAD RAO, J

03rd November, 2015

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