

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

MONDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIFTEEN

: PRESENT:

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WP .NO:4962 of 2015

Between:

1. Kukkala Venkateswarulu S/o Naraimha Murthy
2. Ancha Venkateswarlu S/o Chakrapani
3. M. Narasimha Rao S/o Satyanarayana

..... PETITIONERS

AND

1. The Acharya Nagarjuna University rep by its Registrar, Nagarjuna Nagar, Guntur Town and District, Andhra Pradesh
2. The Andhra University, rep by its Registrar, Visakhapatnam Town and District
3. The Distance Education Council, Indira Gandhi National Open University, Maidan Garhi, New Delhi – 10068.
4. The All India Council for Technical Education, rep by South Central Regional Office, 1st floor, Old Bicards Bldgs, JNTU, Masab Tank, Hyderabad – 500076.
5. The University Grant Commission, rep by Joint Secretary, South Eastern Regional Office, P.B. No. 152, APSFC Buildings, D. No. 5-9-194, Chirag Ali Lane, Hyderabad
6. The Union of India, rep by Ministry of Human Resources Department, rep by its Secretary, New Delhi.
7. The Singarni Collieries Company Limited, rep by its Chairman and Managing Director, Singarni Bhavan, Khairatabad, Hyderabad
8. The Directory (P,A&W), The Singarni Collieries Company Limited, Kothagudem Town, Khammam District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ Order or Orders, direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondent Nos. 7 & 8 in not issuing the Hall Tickets for Written Examination on 01-03-2015 for Filling-Up of Vacancies in Executive Cadre Posts in E&M Discipline on ground that the petitioners obtained B.Tech/B.E degree through Distance Education which shall not be considered as illegal, arbitrary and violation of Article 19 & 21 of Constitution of India consequently the Hon'ble Court may be pleased to direct the Respondents Nos. 7 & 8 to issue Hall Tickets for Written Examination on 01-03-2015 for Filling-up of Vacancies in Executive Cadre Post in E&M Discipline

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Pulla Rao Yellanki Advocate for the Petitioners and Sri M. Srinivas, Advocate for the respondent

No. 1 and Sri P.B. Vijay Kumar, Advocate for the respondent No. 2 and Smt A. Chaya Devi, advocate for the respondent No. 3, and Sri Ramakanth Reddy, Advocate for the respondent No. 4, and Sri Deepak Bhattacharjee, Advocate for the respondent No. 5 and Sri B. Narayan Reddy, Advocate for the respondent No. 6 and of Sri Nandigama Krishna Rao, Advocate for the respondent No. 7 & 8, the Court made the following.

ORDER

The Singareni Collieries Company Limited has issued an internal circular proposing to fill-up certain executive cadre posts and invited applications from the internal candidates who possessed qualifications prescribed therein. For the post of Assistant Engineer (Electrical and Mechanical) qualification prescribed is B.E., B.Tech., AMIE or its equivalent qualification in Mechanical/Electrical and Electronics Engineering (Regular) from the institution approved by UGC & AICTE with 3 years or more service as on 01.01.2015. It is contended that the petitioners herein have obtained Bachelor degree of B.Tech/B.E. in the year 2009 through correspondence course from Acharya Nagarjuna University and Andhra University. However, they are not treated as eligible to appear for the internal examination.

The question requires to be considered is whether the degree qualification obtained by distance mode learning process can be distinguished for purpose of employment treating the same as not equivalent to B.E. degree obtained on regular basis.

In that view of the matter,

Rule nisi. Call for records.

Notice returnable in four weeks.

All selections pursuant to the internal circular issued now will abide by the result in the writ petition and the candidates must be informed of this fact by the Singareni Collieries Company Limited.

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ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1 The Registrar, Acharya Nagarjuna University, Nagarjuna Nagar, Guntur Town and District, Andhra Pradesh
- 2 The Registrar, Andhra University, Visakhapatnam Town and District
- 3 The Distance Education Council, Indira Gandhi National Open University, Maidan Garhi, New Delhi – 10068.
- 4 The south Central Regional Office, All India Council for Technical Education, 1st floor, Old Bicards Bldgs, JNTU, Masab Tank, Hyderabad – 500076.

- 5 The Joint Secretary, University Grant Commission, South Eastern Regional Office, P.B. No. 152, APSFC Buildings, D. No. 5-9-194, Chirag Ali Lane, Hyderabad
 - 6 The Secretary, Union of India, Ministry of Human Resources Department, New Delhi.
 - 7 The Chairman and Managing Director, Singarni Collieries Company Limited, Singarni Bhavan, Khairatabad, Hyderabad
 - 8 The Directory (P,A&W), The Singarni Collieries Company Limited, Kothagudem Town, Khammam District
- (Addresses 1 to 8 by RPAD)
- 9 One CC to Sri. PULLA RAO YELLANKI, Advocate (OPUC)
 - 10 Two Spare Copies

Avs

HIGH COURT

NRRJ

DATED: 02.03.2015

ORDER

WP NO. 4962 OF 2015

DIRECTION

AVS

DATED: 03.03.2015

HIGH COURT

NRRJ

DATED: 02.03.2015

ORDER

WP NO. 4962 OF 2015

DIRECTION