

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 12740 OF 2015

ORDER:

The petitioner herein has been seeking a declaration that the proceedings issued by the 2nd respondent District Educational Officer, Guntur on 10.04.2015, as illegal.

It appears, the State of Andhra Pradesh in its School Education Department has taken out a notification on 01.12.2014 proposing to undertake recruitment of teachers in various educational institutions run, managed and controlled by it. The grievance of the petitioner is that though she has submitted her application on-line, disclosing all necessary information and particulars, the District Educational Officer, Guntur has denied her the right to appear for the selection test by denying issuance of hall ticket. Hence, the petitioner has approached this Court.

Sri N.V.R. Amaranath, learned counsel for the petitioner would submit that though the selection process undertaken by the 1st respondent is with regard to the recruitment of teachers in various governmental institutions under its control, because the test is slated on 09.05.2015, the petitioner need not approach, at the first instance, the Andhra Pradesh Administrative Tribunal created under the provisions of the Administrative Tribunals Act, 1985.

All service disputes of government servants or prospective government servants must be addressed, at the first instance, before the Andhra Pradesh Administrative Tribunal, as enunciated by the Supreme Court in ***L. Chandra Kumar v. Union of India***^[1]. The question as to whether the initial process of recruitment and any dispute concerning therewith also falls within the area of 'service dispute' was considered by a Division Bench of this Court and this Court had come to a conclusion that any dispute concerning the initial process of recruitment of government servants also falls within the

scope of ‘service dispute’. Therefore, I am not in a position to agree with the contention of the learned counsel for the petitioner that because of the test being conducted during summer recess of the schools, this Court should clutch at the jurisdiction.

This Writ Petition is dismissed, however, preserving liberty to the petitioner to approach the Andhra Pradesh Administrative Tribunal, at the first instance. No costs.

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

NOOTY RAMAMOHANA RAO, J

28th April 2015

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