

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

MONDAY THE TWENTYTHIRD DAY OF NOVEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 35117 OF 2012

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Between:

K. Vani & Ors. ... Petitioners

Vs.

The Prl.Secretary, School Education Dept.

Govt. of Andhra Pradesh,

Secretariat Buildings, Hyderabad & Ors.... Respondents

Counsel for the Petitioner: Sri Syed Lateef

Counsel for the Respondents: GP for Home

GP for School Higher Education

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 35117 OF 2012

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ORDER:

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This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the inaction of Respondents 1 and 2 to probe into the issue of getting promotions to the post of School Assistant [English] by the inservice SG Teachers, furnishing fake/bogus certificates in the Education Department pursuant to the notification issued by the second respondent basing on G.O.Ms.No. 12, dated 23/1/2009 is illegal, arbitrary and unjust. Consequently to direct the Respondent No.7 to register a crime and investigate into the issue of getting promotions to the post of School Assistant [English] furnishing fake/bogus certificates by the inservice SG Teachers in the Education Department, pursuant to the notification issued

by the second respondent basing on G.O.Ms.No.12, dated 23/1/2009 by registering a case by the Respondent No.7 and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. Heard Sri Syed Lateef, learned counsel for the petitioner and learned Government Pleader for respondents.

3. When the matter is called, written instructions filed by the Deputy Superintendent of Police, CID R.O. Warangal, Telangana State, Hyderabad have been placed on record by the learned Government Pleader for respondents.

4. The said written instructions read as under:

It is respectfully submitted that basing on the complaint made by Respondent No.3 a case in Crime No.17/2003 under section 420, 460, 471 read with section 34 IPC was registered in CID Police Station, Hyderabad on 25/10/2013 and investigated into.

It is respectfully submitted that during the course of investigation, so many discrepancies and irregularities were noticed in the certificates produced by the accused persons. These irregularities, discrepancies were under verification and the case was under investigation for collection of oral and documentary evidence from the Universities, Study Centers, UGC guideline, DEC guidelines to prove the offence against the accused.

It is respectfully submitted that while the investigation of this case was in progress out of 66 accused persons, 63 were approached the Hon'ble High Court of Andhra Pradesh and got stay vide Crl.P.No.375 of 2014 and 513 of 2014. In this regard, counter was filed in Hon'ble High Court of A.P. Hyderabad for vacation of stay and the stay is still continued, as such further action could not be taken in this case.

5. On noticing the same, it is requested by the learned counsel for the petitioner

to dispose of the writ petition by recording the said written instructions.

6. In view of the above, the writ petition stands disposed of by recording the said written instructions furnished by the Deputy Superintendent of Police, CID, RO Warangal, Telangana State, Hyderabad. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

23/11/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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Court Master: I s L