

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

WRIT PETITION No.15113 of 2015

Between:

Kanis Fathima Mohammad
D/o Khaja Moinuddain, aged 34 years,
Occ: Unemployee, R/o H.No.3-263/6/B,
Opp. Madina Masjid Nayanagar,
Kodad, Nalgonda District. Petitioner

And

The State of Telangana rep. by its
Principal Secretary, School Education Department,
Secretariat, Hyderabad & 4 others Respondents

DATE OF JUDGMENT PRONOUNCED: 22.07.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE MRS. JUSTICE ANIS

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | No |
| 2. Whether the copies of judgment may be marked to
Law Reporters/Journals | No |
| 3. Whether Their Ladyship/Lordship wish to see the
fair copy of the Judgment? | No |

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE MRS. JUSTICE ANIS

WRIT PETITION No.15113 of 2015

ORDER: (Per Hon'ble Sri Justice Nooty Ramamohana Rao)

This writ petition is filed challenging the correctness of the order passed by the Andhra Pradesh Administrative Tribunal in O.A.No.712 of 2013. The writ petitioner was the original applicant in the aforesaid O.A.No.712 of 2013. He instituted the said O.A. for declaring the action of the District Educational Officer/Member Secretary, District Selection Committee-2012, Nalgonda District in rejecting the case of the original applicant for appointment to the post of the Secondary Grade Teacher. It is the case of the original applicant/petitioner that she possesses M.A. (English) Post Graduate degree and B.Ed. qualification. She also joined D.Ed. course during the academic year 2010-2012. She responded to the notification for TET examination which was held on 01.06.2012 and passed the same with 83% marks. District Selection Committee (DSC) vide its notification dated 30.01.2012 invited applications from eligible candidates for various posts. Amongst them the posts of Secondary Grade Teacher/School Assistant/Language Pandits were also notified. As many as 501 Secondary Grade Teachers have been notified. It is required for the candidates to possess the necessary qualification which included a pass of D.Ed. So far as the writ petitioner is concerned, she appeared for D.Ed. examination only during May 2012 and the results of which were published in October 2012. The whole question centers around as to whether the writ petitioner possesses the necessary qualification or not. There is no denial of the fact that the writ petitioner did not clear the D.Ed. examination before the last date expired for submission of the application form. To clear the backlog she took the examination only in September 2012, the results of which were declared in October 2012. Therefore, it is manifestly clear that, till September 2012, the petitioner herein did not possess D.Ed. qualification, the last date for submission of the application being much prior to September 2012, the

action of the District Educational Officer in treating the writ petitioner as not eligible and qualified to compete for DSC-2012 cannot be faulted at all. It is a fundamental principle that only eligible candidates' cases alone will be considered and since the writ petitioner did not possess the essential qualification of D.Ed., but acquired the said qualification subsequently, thereby no exception need be drawn and the order of the Tribunal does not warrant interference at our hands.

Accordingly, the writ petition is dismissed.

Consequently, miscellaneous petitions, if any, pending shall also stand dismissed. No costs.

JUSTICE NOOTY RAMAMOHANA RAO

JUSTICE ANIS

22.07.2015

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