

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 8886 OF 2015

ORDER:

The petitioner claims that he is the senior-most lecturer working in the 5th respondent college herein. He apprehends that since he is not a party to Writ Petition No. 1233 of 2014, which was decided by me on 18.03.2015, the Commissioner of Collegiate Education, Government of Andhra Pradesh will not be considering his candidature for such promotion and that the Commissioner of Collegiate Education is going to commit the folly of considering only the claim of the petitioner and the contesting respondents in that case.

I am at a loss to appreciate this contention. All I need to notice once again was during the course of the judgment rendered in Writ Petition No. 1233 of 2014, even while making in-charge arrangements to the college, I made the following observations:

“ In spite of the best intentions and prompt steps taken for filling up the vacancies, sometimes it becomes inevitable to make in-charge arrangements. While making in-charge arrangements, the seniority of the candidates in the zone of consideration assumes certain amount of importance. It stands to reason that the senior most teaching member should be kept as in-charge of the institution, so that the other teachers and non-teaching faculty tend to respect his directions and work under his guidance.”

Further, I directed the Commissioner of Collegiate Education to take prompt action on the report submitted by the Regional Joint Director of Collegiate Education, Rajahmundry on 20.11.2013 and also directed the Commissioner to keep in view the policy guidelines issued by the State Government from time to time apart from such instructions, which were issued from the Commissionerate earlier and fill up the post of the Principal of the 5th respondent college herein as early as possible, at any rate before 31.08.2015.

The learned Government Pleader for Higher Education (Andhra Pradesh) has rightly pointed out that the case of writ petitioner would also be taken into consideration and appropriate selection would be carried out for filling up the post of the Principal on regular basis, as directed by this Court, on the previous occasion.

In view the statement made by the learned Government Pleader that the case of the petitioner will also be considered, which will be in conformity with the right guaranteed to him to have his case considered, provided he otherwise holds the necessary qualifications and experience along with other similarly- placed candidates, no grievance of the petitioner need be entertained.

Hence, while filing up the post of Principal, either as an interim arrangement or on regular basis, the case of the petitioner, provided he falls within the zone of consideration, shall also be considered along with all other eligible persons and then, an appropriate selection of picking up the most suitable should be carried out.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

NOOTY RAMAMOHANA RAO, J

1st April 2015

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