

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6470 of 2015

ORDER:

1. The petitioner is working as Shift Operator in the APSPDCL, Madanpally, Chittoor District since 05.11.2009 on contract basis. While so, the 1st respondent issued a notification on 14.12.2011 to fill up 292 Junior Lineman posts under the control of the 3rd respondent. The petitioner, who possessed I.T.I. qualification in electrical trade, applied to the said post. He was called for interview on 16.04.2012. It appears that some persons filed a batch of cases in W.P.No.3753 of 2012 and batch and this Court directed the respondents to frame certain guidelines with regard to filling up of the post of Junior Lineman. In pursuance of the said order, certain guidelines were framed by the respondents on 06.01.2014. A selection list was published by the 2nd respondent for the 292 posts, in which the name of the 4th respondent was shown at serial No.67 against the quota reserved for O.C. and he secured 61.11% marks in the interview. When the petitioner sought for information under Right to Information Act, it was shown that he secured 61.11% marks, whereas the 4th respondent also got the same marks.

2. A counter-affidavit was filed on behalf of the respondents justifying the selection and after considering the same, this Court by order dated 23.11.2015 directed the respondents to file an additional counter-affidavit specifically explaining the total number of vacancies earmarked for BC-B category and also indicating whether there are candidates who secured more marks than the petitioner under the said category.

3. In pursuance of the aforesaid direction, the respondents filed an additional counter-affidavit on 10.01.2016 stating that there were 20 vacancies available for BC-B local category as per the Presidential Order and there were 9 candidates above the petitioner, who secured more percentage of marks and who were not selected as they did not obtain the required cut off marks of 61.60%.

4. The petitioner filed a reply affidavit and stated that the actual number of posts that should be earmarked for BC-B candidates are 23, but only 20 posts were allocated to BC-B candidates contrary to the rule of reservation.

5. Even assuming that 23 posts should be earmarked for BC-B candidates since there were 9 candidates above the petitioner, who were not selected as they did not secure the required cut off marks, the petitioner will not be in a position to get selection. In the circumstances, this Court sees no ground to grant the relief as claimed by the petitioner.

6. The Writ Petition is accordingly dismissed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

24-08-2016

Gsn