

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SMT JUSTICE ANIS

WRIT PETITION No. 27905 of 2016

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ORDER: (*Per VRS,J*)

The petitioner, who is a native of Gummugudem Village of Kunavaram Mandal, which originally was included in Khammam District, has come up with the present writ petition, seeking a direction to the respondents to treat him as a local candidate for the purpose of admission to under-graduate courses in the State of Andhra Pradesh, on the basis of the Presidential Order issued on 09.06.2016 and re-published by the Government of Andhra Pradesh in G.O.Ms.No.132, General Administration (SPF & MC) Department, dated 13.06.2016.

2. Heard Mr. K. Sarath, learned counsel for the petitioner.

Mr. T. Raja Sekhar Rao, learned counsel, takes notice for the

1st respondent, Mr. Taddi Nageswara Rao, learned counsel, takes notice for the 2nd respondent, Mr. R.

Govind Reddy, learned counsel, takes notice for the 3rd respondent, and the learned Government Pleader for Higher Education takes notice for the respondents 4 and 5.

3. The case on hand is a very peculiar one. The petitioner is a native of a particular Village in Khammam District. Khammam District, now, falls within the State of Telangana. But, this Village has been carved out of the Khammam District and it has, now, got attached to East Godavari District in the State of Andhra Pradesh. Therefore, the petitioner is actually in a twilight area, and therefore, he apprehends that he may not be treated as a local candidate either here or there.

4. It is stated by the learned counsel appearing for the 3rd respondent University that the counselling for undergraduate agricultural courses is due to commence on 27.08.2016, and that, therefore, the status of the petitioner has not yet been decided by the University. Therefore, the learned counsel states that if the petitioner is eligible as per the Presidential Order, he may be considered.

5. Though the stand taken by the learned counsel for the

3rd respondent University appears to be quite reasonable, we do not wish to make the petitioner go again for a second round of litigation. The fact remains that the Village, where the petitioner was born, was originally a part of Khammam District. Khammam District got attached to the State of Telangana. But, the Village, to which the petitioner belongs, has now gone to East Godavari District, which is in the State of Andhra Pradesh. Therefore, the petitioner should be granted the benefit of local status in the State of Andhra Pradesh either under sub-paragraph Nos.1 and 2 or under the newly inserted sub-paragraph No.3 of paragraph No.4 of the Presidential Order. This clarification we issue, to enable the 3rd respondent University to take a right decision with respect to the petitioner.

6. With the above direction, the Writ Petition is disposed of. The 2nd respondent is also directed to treat the petitioner as a local candidate. By way of abundant caution, in order to avoid any future dispute, the petitioner may also apply, in terms of Paragraph No.4(d) of the Circular Memo, dated 08.08.2016, issued by the State of Andhra Pradesh.

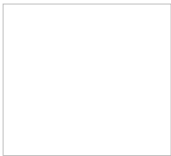
Consequently, miscellaneous petitions if any

pending in the writ petitions shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

19th August, 2016
cbs

ANIS, J.



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