

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36876, 32780 AND 36770 OF 2016

COMMON ORDER:

Since the relief sought for by the petitioners in the above three writ petition is same, all the writ petitions are disposed of by this common order.

The above three writ petitions are filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus declaring the action of the respondents in not sponsoring the petitioners for coaching to coaching centers for guidance on Civil Services Examinations, as per G.O.Ms.No.10, dt.03-02-2015, Tribal Welfare (EDN) Department by virtue of a clause subsequently notified by the 2nd respondent that the candidates who were already benefited under the scheme during the year 2015-16 are not permitted for second time benefit, as illegal, arbitrary, unreasonable, and consequently, direct the respondents to sponsor the petitioners for coaching to the empanelled coaching centres for providing professional guidance for civil services examinations.

The case of the petitioners is that they appeared for entrance test under "NTR VIDYONNATHI" Scheme, introduced by the Government of A.P. in the year 2015, conducted by the JNTU, Kakinada, on 28.08.2016 and since the petitioners were selected in the entrance test, they were called for verification of certificates, but they were not sponsored for coaching to the empanelled coaching centers till today. Subsequently, they learnt that the 2nd respondent has announced a clause, by keeping a notice in the website, which was not there in the notification for inviting applications for entrance test, stating that as per the Minutes of the Common Selection Committee meeting, the

candidates who were already benefited under the said scheme during the year 2015-16 may need not attend for certificate verification, as these candidates are not permitted for second time benefit.

This Court perused the material available on record and heard the arguments of the learned counsel on either side.

The main contention of the petitioners is that in the entrance examination notification there is no mention about the clause debarring the candidates who were already benefited under the scheme during the year 2015-16 from appearing for the entrance examination, therefore, the subsequent notification debarring the previous beneficiaries under the scheme is without any authority and the same is illegal.

Learned Government Pleader submitted that since the petitioners have already availed the benefit of training under NTR Vidyonnathi scheme for the year 2015-16, and that the intent of the respondents is to give chance to the new entrants to enable them to get the coaching for appearing the UPSC examination, and therefore, the said act is either illegal or arbitrary in nature. He further informed that if the petitioners complete their preliminary examination successfully, they will be accommodated for their training to the main examinations. Hence, the intention of the respondents is very clear and the respondents are not intending to avoid the petitioners from appearing for the coaching to the preliminary examination or the main examination. Hence, this Court is not inclined to interfere with the stand taken by the 2nd respondent herein.

It is informed by the learned counsel for the petitioners as well as the respondents that after admission of the students, who are appearing

for coaching for the first time, if any vacancies are available, the same will be given to the petitioners according to their marks obtained or on the basis of the merits.

Recording the above said submission of both the counsel, the respondents are directed to allot the seats to the petitioners, if any available after admission of candidates, who are appearing for first time for the coaching. The respondents are directed to complete the above process within a period of one month from the date of receipt of a copy of this order.

Accordingly, all the writ petitions are disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 20, 2016.
KTL



RAJA ELANGO, J

