

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.33628 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking to declare the action of the 2nd respondent in filling up the post of Fishermen under contract basis in the Districts of Khammam, Bhadradi Kothagudem and Rajanna Sirisilla, by way of Notification and Guidelines *vide* Memo No.1917/V&F/A1/2017, dated 22.07.2017, as bad, illegal and arbitrary and apart from violation of Articles 14 and 16 of the Constitution of India and contrary to Annexure I to G.O.Ms.No.17, dated 05.07.2017, and violation of principles of natural justice and consequently set aside the same and direct the 2nd respondent to consider the experience and participation certificates of petitioners as Fishermen along with their Educational qualifications for the post of Fishermen under contract basis in the Districts of Khammam, Bhadradi Kothagudem and Rajanna Sirisilla of petitioners.

2. Heard learned counsel for the petitioners and the learned Government Pleader for Fisheries for the respondents and perused the material available on record.

3. The case of the petitioners is that the petitioners are working as Fishermen in the concerned offices of Fisheries Development Offices, i.e., in Wyra, Khammam, Bhadradi Kothagudem (Kinnerasani Project) and Rajanna Sirisilla for the last 9 years through outsourcing agency and that the petitioners passed 7th class and obtained training certificate in Pisciculture for 3 months in Inland Fisheries Training Centre (IFTC) of Fisheries Department, Government of Telangana. It is further case of the petitioners that

the 2nd respondent issued a notification along with guidelines, dated 22.07.2017, to fill up the vacancies of Fisheries Field Officers, Fisheries Assistants and Fishermen on Contractual Services and the eligibility criteria for Fishermen is 7th class with certificate of 3 months IFTC training as mentioned in the guidelines.

4. The main grievance of the petitioners is that the 2nd respondent is going to fill up the post of Fishermen without conducting the written examination, as stated in Sl.No.6 of Guidelines, dated 22.07.2017. Aggrieved by the same, the present writ petition is filed by the petitioners.

5. Learned counsel for the petitioners submits that since the selection is based on merit, unless the 2nd respondent conducts a qualifying examination, the appointments for the post of Fishermen on contract basis cannot be made.

6. On the other hand, learned Government Pleader for Fisheries appearing for the respondents submits that the eligibility criteria for Fishermen is 7th class with certificate of 3 months IFTC training, as mentioned in the guidelines and as such, the qualifying examination is 7th class and that the appointments are purely based on merit in the qualifying examination of 7th class and that the appointments are made as per the guidelines contained in Memo No.1917/V&F/A1/2017, dated 22.07.2017.

7. It is to be seen that the eligibility criteria for appointment to the post of Fishermen is 7th class and when once the selection is based on the merit in the qualifying examination of 7th class, I do not know as to what is the basis for the submission of the learned counsel for the petitioners that a written examination has to be

conducted to fill up the post of Fishermen on contractual services, as per the notification issued by the 2nd respondent, dated 22.07.2017. In view of the same, I do not see any merit in the writ petition and accordingly, it is liable to be dismissed.

8. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

As a sequel to the disposal of this writ petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

Date: 11th October, 2017

KL



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



WRIT PETITION No.33628 of 2017

Date: 11th October, 2017

KL