

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 4136 of 2009

Order:

Heard learned counsel for the petitioner, learned counsel for the respondents 1 and 2 and learned counsel for the third respondent.

The first respondent issued a notification on 12.09.2008 calling for the post of technical consultants for staffing its District and State positions including the post of Epidemiologist. The applications were invited from all over the country. The following qualifications are prescribed for the post of Epidemiologist.

5	Epidemiologist	1 each at 611 District HQs will report to State Surveillance officer - IDSP	In order of preference either of the below 1. Medical Graduate with Post Graduate Degree/Diploma (preferably in Epidemiology or Public Health such as MD, MPH, DPH, MAE, Ph.D etc. 2. Medical Graduate with 2 years experience in Epidemiology. 3. Post Graduate in Field of Life Sciences, Social Sciences or Statistics related to public health with an MPH or equivalent. 4. Medical Graduate with right aptitude who may be provided two weeks field epidemiology training. 5. Post Graduate in field of Life	2 Minimum years experience in issues related to Public Health programmes or Epidemiology.	Rs.25,000/- - Rs.40,000/-
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			Sciences, Social Sciences or Statistics related to Public Health with 2 years experience in field Epidemiology.		
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The petitioner applied for the said post, since he possessed the requisite qualifications. He states that he possessed the requisite qualifications including the field experience. After submission of the application, the petitioner along with others was called for interview and he was interviewed by a three member committee on 18.11.2008. When the third respondent was selected, he filed the present Writ Petition challenging the selection of the third respondent.

A counter affidavit is filed by the second respondent. It is stated that the petitioner and the third respondent were interviewed at Hyderabad by a five member panel and not by a three member committee. The petitioner obtained a total score of 35.2. The third respondent got a total score of 55.4. The third respondent was given higher total score than the petitioner by all the five panel members. The cut off limit was prescribed at 40 marks.

Though the petitioner was assuming that he is more qualified, when the petitioner along with the third respondent was interviewed by a five member committee, the petitioner secured less marks than the cut off marks, whereas the third respondent secured 55.4 marks. In view of the third respondent getting more marks than the petitioner and in the absence of any other ground, the Writ Petition is liable to be dismissed.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 21.11.2017
Nsr

