

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26787 OF 2017

ORDER:

This writ petition is filed declaring the action of the 2nd respondent in issuing proceedings dated 18.08.2015 by placing the petitioner at Serial No.39-A as per G.O.Ms.No.26, Social Welfare Department, dated 20.02.2009, as illegal and arbitrary and against to Rule-3 and Note-3 of the A.P.Intermediate Education Service Rules and to the principles of 'Catch up' Rules as laid by the Supreme Court, and to set aside the same and for a consequential direction to the respondents to treat the petitioner as entitled for seniority in the cadre of Principal over the accelerated promotees and for consequential promotion to the District Vocational Educational Officer or an equivalent post with all consequential benefits.

Learned counsel for the petitioner submits that the final integrated seniority list of Principals is not prepared as per Note-3 and Rule-3 of the A.P.Intermediate Education Service Rules by taking seniority in the cadre of Junior Lecturers.

On the other hand learned Government Pleader for Services submits that objections were considered and disposed of vide proceedings dated 18.08.2015 and petitioner has alternative remedy of appeal against the same. He also submits that the petitioner waited for two years and now filed the present writ petition.

It is to be seen that the petitioner has not filed full copy of the impugned proceedings dated 18.08.2015 issued by the 2nd respondent. But, the learned Government Pleader for Services produced full copy of the aforesaid proceedings dated 18.08.2015, wherein at page 3 it was stated as follows;

“ Keeping in view, all the Rules and Regulations issued from time to time, the seniority list is prepared basing on their seniority in the lower cadre (Junior Lecturer) and as per the records available and in terms of the following Government orders.

1. G.O.Ms.No.436, G.A.D (Ser.D) Dept., dated 15.10.1996
2. G.O.Ms.No.193, G.A.D (Ser.D) Dept., dated 26.04.1999
3. G.O.Ms.No.123, G.A.D (Ser.A) Dept., dated 14.12.2000
4. G.O.Ms.No.29, H.E(IE.I) Dept., dated 02.03.2006
5. G.O.Ms.No.11, H.E(IE.I) Dept., dated 25.01.2011.

After careful examination of the material available and as per the records furnished by certain Principals who have submitted their objections, the final Integrated Seniority list of Principals working in Government Junior Colleges in State is finalized and communicated to all the Principals concerned.

Receipt of these proceedings should be acknowledged.”

The aforesaid proceedings show that the final integrated seniority list of Principals was prepared basing on their seniority in the cadre of Junior Lecturers. Though, learned counsel for the petitioner submits that no reasons were given in the impugned order, but at page-3 of the proceedings, produced by the learned Government Pleader show that the contention of the petitioner is being answered. Further, the petitioner has alternative remedy of appeal against the impugned proceedings.

In view of the above, I do not see any reason to entertain the writ petition. Accordingly, the writ petition is dismissed. However,

this order will not preclude the petitioner from availing alternative remedy of appeal as per Rules. No order as to costs.

Accordingly, the writ petition is dismissed. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

21.08.2017
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