

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.13155 of 2017

ORDER

Heard learned counsel appearing for the petitioners and learned Government Pleader for School Education appearing for respondents 1 to 4.

The petitioners claim to be the students of first year D.Ed of the 5th respondent-College. It appears that the 5th respondent admitted some of the students under A-category as well as B-category. The classes were started from 1.3.2016 and closed for summer vacation from 23.4.2016 to 13.6.2016. It seems the petitioners were admitted by the 5th respondent-College on different dates under-B category quota after the last date for uploading the information of the candidates on 22.4.2016. The affidavit does not disclose on which date the list of the candidates was communicated to the 3rd respondent. But, it is stated that the petitioners came to know that when the 5th respondent approached the 3rd respondent and was ready to submit hard copies of the certificates of the petitioners on 29.4.2017, the 3rd respondent was not allowed for submission of the hard copies on account of delay in submission of list to the 2nd respondent.

The petitioners have to complete the course within 140 working days. The Principal, Government DIET Vikarabad, Rangareddy District, *vide* proceedings dated 21.02.2017 informed that the students whose list was not communicated by the Director, SCERT and Convener DEECET were not allowed for the practical examination 2015-17. The said communication was not challenged in the present writ petition though it was communicated to the 5th respondent. However, the present writ petition is filed challenging the action of the 3rd respondent in refusing to ratify the students who were admitted under B-Category quota in the 5th respondent-College for the academic year 2015-17.

Learned counsel appearing for the petitioners submits that the examinations are commencing from 17.4.2017 and if the petitioners are not allowed to attend the examinations serious prejudice would be caused to them.

Learned Government Pleader for School Education appearing for the respondents submits that the petitioners were not allotted by the Convener to the 5th respondent-College and the 5th respondent management has not uploaded the information with regard to admission of the petitioners for ratification to the authorities within the time stipulated. He

further submits that the 5th respondent appears to have admitted the students on their own and therefore, respondents 2 to 4 have not permitted the petitioners to attend the examinations.

It appears that some of the managements approached the Supreme Court *vide* SLP No.8875/2016 and they were permitted to admit the students within a week from 13.5.2016. But by that time, the last date for uploading the information with regard to admission of the students in respect of State of Telangana was already over. However, taking risk and advantage of the order passed by the Supreme Court, the 5th respondent might have admitted some students without obtaining any permission from respondents 2 to 4 and now at the fag end of the academic year, the students approached this Court challenging the action of the 3rd respondent in not ratifying the admission made by the 5th respondent.

This is a proxy litigation initiated by the 5th respondent in the name of the petitioners. Since the 5th respondent did not upload the information within the stipulated time and in the absence of allotment of any individuals by the Convener to the 5th respondent-College, this Court is not inclined to entertain the writ petition.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

13th April, 2017
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