

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.34263 OF 2017

ORDER

The 1st petitioner was appointed as Staff Nurse with a qualification of B.Sc Nursing on 3.11.92. Thereafter, she was promoted as Nursing Tutor in the year 1998. After working nearly for 9 months, she was reverted as Staff Nurse and posted to M.G.M. Hospital, Warangal. Thereafter, she was promoted as Nursing Tutor Grade II on 6.1.1999 and continuing as such. She is governed by the Andhra Pradesh Medical Education, Health and Family Welfare Nursing Service Rules issued vide G.O.Ms.No.466 HM &PW, dated 16.10.1998.

The 2nd petitioner was originally appointed as Staff Nurse with a qualification of G.N.M. (General Nursing & Midwifery) on 4.7.1986 and posted to District Headquarters Hospital, Karimnagar and after completion of B.Sc Nursing, she was promoted temporarily as Nursing Tutor Grade II on 22.3.2002 and working as such as on today. It is stated that as per G.O.Ms.No.466 HM & FW, dated 16.10.1988, the method of appointment for Nursing Tutor is as follows:

Principal Nursing Tutor: By promotion from
Nursing Tutor Gr.I

Nursing Tutor Gr.I: By promotion by transfer of
Nursing tutor, Grade II in the A.P. Medical

Education, Health & Family Welfare Nursing
Subordinate Service.

As per A.P. Nursing Service Rules, the Nursing Tutor is in Category I, Head Nurse is in Category-II and Staff Nurse is in Category III. It is also stated that respondents 7 and 8 are working as Sister Tutors. They are governed by service rules issued under G.O.Ms.No.261, dated 28.6.2002. It appears that a provisional seniority list in respect of Zone-V was issued by the Regional Director M&H Services *vide* proceedings dated 12.5.1993 and the Director of Medical and Health clarified on 18.2.1992 that in view of the orders issued in G.O.Ms.No.629 M&H, dated 22.8.1994 only Nursing Tutors Gr.II are eligible for promotion to the posts of Nursing Tutor Gr.I. In view of the same, the petitioners submitted a representation to the Regional Director, Medical & Health Department, Warangal, on 3.9.2010 to prepare a list of Nursing Tutors of Grade.II. However, when the 5th respondent communicated a provisional seniority list including the names of the petitioners and respondents 6 and 7, who are working as Sister Tutors, by proceedings dated 10.10.2013, objections were called for from the petitioners. It is further stated by the petitioners that they submitted another representation on 27.1.2014 seeking

deletion of the names of respondents 6 and 7 from the seniority list.

Now, when the provisional seniority list of Nursing Tutor Gr.II and Sister Tutors are clubbed together and invited objections from the candidates included in the seniority list by proceedings dated 28.3.2017, the present writ petition is filed.

Since the impugned order dated 28.3.2017 is only a communication inviting objections to the provisional seniority list, it is open to the petitioners to raise all their objections. It is needless to observe that the 3rd respondent shall consider the said objections, if necessary, by hearing the petitioners and respondents 7 and 8 and finalize the seniority list along with other objections received.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

31st October, 2017
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