

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.NO.45593 OF 2016

O R D E R

This writ petition is filed for the following reliefs:

- a) Call for the records pertaining to notification No.04/2016 and set it aside and consequently direct the respondents to consider the claim of the petitioners for existing vacancies of Agriculture Extension Officer Grade – II by following the same selection process existing earlier to bifurcation i.e., based on the marks obtained in essential qualification, coupled with the seniority and weightage to the tune of 75+ 10+ 15 or at least not to dispense with the marks for seniority and weightage as was done in several other departments and several recruitments in the teeth of Section 101 of the A. P. Re-Organization Act, 2014 or
- b) Alternatively, to direct the Telangana State Public Service Commission to conduct the written test without general knowledge paper and based only on the concerned subject being a technical post and to add marks for seniority and weightage,
- c) By holding the action of respondents in dispensing with the earlier procedure and denying the legitimate expectations of the petitioners for regular recruitment after working for several years in the department and contemplating to fill up all the vacancies through direct recruitment without weightage and seniority as bad, illegal, arbitrary, discrimination and unconstitutional.

When the matter is taken up, the learned counsel for the petitioners and the Government Pleader for Services-I and the Standing Counsel for the Telangana State Public Service Commission, submitted that the subject matter in the writ petition is squarely covered by a decision of a Division Bench of this court in Review WPMP.No.45226 of 2016 in W.P.No.30376 of 2015 and batch dated 14.11.2016. The relevant portion of the said order reads as under:

“The review is accordingly granted and the matter is taken up for hearing.

The direction of this Court in the aforesaid order to dispose of the OAs on merits can no longer be acted

upon, owing to the fact that the Tribunal does not have the authority to deal with service disputes of Government employees in the State of Telangana. The writ petitioners, who sought to air their grievances in relation to recruitment to the posts of Agricultural Officers, Agricultural Extension Officers, Horticultural Officers in the State of Telangana would therefore have to seek redressal of their grievances in relation thereto by way of fresh writ petitions before this Court. However, keeping in mind the fact that this is not really a fresh service dispute as it was pending consideration before the Tribunal prior to its abolition, we are of the opinion that the writ petitioners should be afforded some protection at this stage. It may be noted that by virtue of the orders passed by this Court and thereafter by the Tribunal, the notifications issued by the State of Telangana to undertake recruitment to the aforementioned posts were not given full effect. The Public Service Commission of the State was permitted to go ahead with the written test and evaluation of the answer scripts but the marks secured by the candidates were to be kept in a sealed cover. The other procedures to be followed thereafter were also interdicted. By the order under review, this Court directed that the said interim orders should remain in operation till the disposal of the O.As by the Tribunal.

However, as that cannot now come to pass because of the abolition of the Tribunal insofar as the State of Telangana is concerned, we are of the opinion that the interests of justice would be sufficiently served by directing that the said interim orders shall continue to operate for a period of four weeks from today. In the meanwhile, it is open to the writ petitioners to seek redressal of the grievances aired by them in the OAs before the appropriate forum in accordance with law.

The review petition is accordingly ordered.”

Following the said order, the writ petition is disposed of at the stage of admission with the same directions. No costs.

Miscellaneous petitions pending if any, shall stand closed.

P.NAVEEN RAO,J

DATE: 25—01—2017

AVS

Note: C.C. in one week.
B/O