

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.7485 OF 2017

DATED : 06.03.2017

Between :

Ch. Ravi Shanker S/o.Poshalu,
Aged about 44 yrs, Occu : Supervisor,
R/o.H.No.3-4-703/A/1, Hanuman Nagar,
Hanamkonda, Warangal District.

..
Petitioner

And

Kakatiya University,
Rep., by its Registrar,
Vidyaranyaपुरi, Warangal District.

..
Respondent



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.7485 OF 2017****ORDER :**

Petitioner is challenging the notification dated 01.11.2016. By this notification six posts were notified for internal recruitment of the employees working in various cadres eligible for such recruitment. Petitioner is concerned with the post of supervisor. Petitioner contends that there are no in-service eligible candidates to be appointed by this method of recruitment and therefore, the question of conducting recruitment under the notification does not arise. By referring to Clause (3) of the notification, learned counsel for the petitioner contends that in case of non-availability of eligible internal candidates, a separate notification would be issued to fill up such unfilled vacancies and therefore, it is mandatory for the respondent-University to issue fresh recruitment notification for filling up the vacancies from the outsiders.

2. Clause (3) of the notification is clear and categorical. The recruitment notification is only meant for eligible internal regular employees. If eligible internal regular candidates are not available, the question of filling up the vacancies by outsiders through this notification would not arise. That being so, the apprehension expressed by the petitioner that through this notification and clause (3) thereunder, the respondent-University is resorting to recruit outsiders is baseless. Such a claim cannot be acceded to at this stage, even before a decision is taken by the University and prevent the University from taking appropriate course of action as warranted in the administrative exigency of the University. It

cannot be expected that the University itself would disregard its own notification and rules governing service conditions of various posts and make illegal appointments. Merely because petitioner expresses apprehension that as there are no internal candidates eligible, University authorities would be resorting to fill up vacancies by others, but without resorting to direct recruitment, no direction can be granted as sought for by the petitioner. The claim of the petitioner is pre-mature and contrary to the terms of recruitment notification and therefore, no relief as sought for can be granted and the writ petition is liable to be dismissed.

3. Having regard to the above observations, the Writ Petition is dismissed. However, it is needless to observe that if the petitioner intend to avail grievance redress mechanism within the University it is open to him to pursue the remedies notwithstanding the dismissal of writ petition. There shall be no order as to costs.

Miscellaneous petitions, pending if any, in this writ petition shall stand closed.

6th March, 2017
Rds

P.NAVEEN RAO,J