

The Hon'ble Sri Justice V.RAMASUBRAMANIAN
and
The Hon'ble Sri Justice CHALLA KODANDA RAM

WRIT PETITION No.39891 OF 2017

Date:24.11.2017

Between:

K. Shravan Kumar S/o.Prof.K.Ramanaiah,
Aged about 42 years, Occ: Senior Assistant,
P/o.2-7-596, Excise Colony, Subedari,
Hanumakonda, Warangal District

...Petitioner

Vs.

The High Court of Judicature at Hyderabad,
For the State of Telangana and the State of
Andhra Pradesh, Hyderabad, rep. by its
Registrar (Recruitment), High Court Buildings,
Hyderabad and others.

... Respondents

For Appellant : Sri P. Devender

For Respondents : Sri Swaroop Corilla,
Standing Counsel for the
respondents.



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.39891 OF 2017

ORDER: (per V. Ramasubramanian, J)

The petitioner, whose application for selection to the post of Civil Judge, Junior Division, has been rejected on the ground that serious charges are pending against him for enquiry, has come with the above writ petition.

2. Heard Mr. P. Devender, learned counsel appearing for the petitioner.

3. The petitioner is working in the Court of Senior Civil Judge, Mehabubabad. When a notification for recruitment to the post of Civil Judges was issued, the petitioner applied under the 10% quota reserved for judicial employees. In the first instance, his application was not accepted on the ground that the application was not forwarded through the employer, namely, the Unit Head. Therefore, the petitioner came up with a writ petition in W.P.No.13237 of 2017. Finding that the objection of the Registry was not so serious, this Court passed an interim order on 18.04.2017 in the said writ petition directing the Registry to receive the application of the petitioner and to process the same further.

4. Accordingly, the application of the petitioner was processed further. In the screening test, the petitioner appeared and got good marks.

5. But, in the main examination scheduled to be held on 26.11.2017, the petitioner was prevented from appearing on the ground that disciplinary proceedings are pending against the petitioner in respect of serious charges. Therefore, the petitioner has come up with the present writ petition.

6. The charge in respect of which proceedings are pending against the petitioner is very serious in nature. The charge reads as follows:

“CHARGE: That on 13/3/2012 a fake judgment and decree in OS No.1199/2011 on the file of Prl.Jr.Civil Judge, Warangal was brought into existence and a certified copy of the same was also complied upon filing of a CA No.1481/2012, dt.4/2/2012 & CA No.4606, dt.23/4/2012 basing upon which the litigant endeavored to sell off the plaint scheduled property. After the above mischief, the original forged documents i.e. judgment & decree have disappeared from the original file with ulterior motive.”

7. Though the learned counsel contended that the original rejection of the candidature of the petitioner was not on this score, we are unable to delink the reason for the original rejection with the reason for the present rejection. Probably, the petitioner did not forward the application through the Unit Head, on account of the pendency of the charges. Though the petitioner has been truthful in disclosing the factum of pendency of enquiry in his application, that does not take his case any further.

8. If for the purpose of keeping the purity of the stream of judicial administration, a decision is taken that the employees facing enquiry into serious charges need not be allowed to participate in the process of selection, the same cannot be found fault with. Therefore, we find no reason to entertain the writ petition.

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

V. RAMASUBRAMANIAN, J

CHALLA KODANDA RAM, J

November 24, 2017
KTL