

**HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD**

WRIT PETITION No.41487 of 2017

ORDER: (per Hon'ble the Acting Chief Justice)

In this writ petition, the validity of Rule 4(II) of the Telangana State Direct Recruitment for the posts of Teachers Rules, 2017 (for brevity "the Rules"), notified in G.O.Ms.No.25, School Education (General) Department, dated 10.10.2017, is subjected to challenge on the ground that Rule 4(II) of the Rules, which prescribes the qualification Intermediate with 50% marks for OCs and 45% marks for SCs, STs, BCs and PHCs for being considered for the post of Secondary Grade Teachers, is arbitrary and illegal.

While the validity of the Rule has been subjected to challenge in this writ petition, Smt. B. Rachna Reddy, learned counsel for the petitioners, after arguing for some time, would submit that, instead of adjudicating the contentions put-forth by her on merits, it would suffice if the petitioners are permitted to submit a representation to the Special Chief Secretary to Government, School Education Department, Government of Telangana; requesting him to relax the Rules, and to permit the petitioners to appear in Teachers Recruitment Test (TRT) scheduled to be held in February, 2018, the last date for submission of application of which is 15.12.2017.

While the aforesaid Rules, made under the proviso to Article 309 of the Constitution of India, renders the petitioners ineligible, we see no reason to deny the petitioners' the opportunity of having their representation considered by the 1st respondent, for relaxation of the Rules and for the petitioners, who have already completed their Teacher Eligibility Test (TET) and have secured a Bachelors Degree in Education and Diploma in Education, to be considered for exemption from the rigour of the rules, which require them to have secured 50% or 45% marks in their Graduation/Intermediate etc. The petitioners are permitted to submit their representation by 11.12.2017. The 1st respondent shall consider their representation before 15.12.2017 since the last date of receipt of the application is said to be 15.12.2017.

The writ petition stands disposed of accordingly. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

RAMESH RANGANATHAN, ACJ

GUDISEVA SHYAM PRASAD, J

8th December, 2017.

NOTE: Issue C.C. by 11.12.2017.
(B/O)
pnb

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8.12.2017