

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.6391 of 2003

ORDER :

This writ petition is filed seeking a Writ of Mandamus, declaring the Notification dated 31.03.2003 published in "Eenadu" Telugu Newspaper, earmarking 3 vacancies in the Zoology Department for SC/ST community candidates, as illegal, arbitrary, being violative of Articles 14 and 16 of the Constitution of India, and consequently direct the respondents to consider the claim of the petitioner for appointment in one of the existing vacancies of Lecturer in Zoology in the 2nd respondent-College.

2. Heard Ms.K.Udaya Sri, learned counsel for petitioner and the learned Government Pleader for Education.

3. It has been contended by the petitioner that she was appointed as a Part-time Lecturer in Zoology in 1992 in the 2nd respondent-College and since then, she has been discharging her duties. The grievance of the petitioner is that when she was working as a Part-time Lecturer, the 2nd respondent-College had issued a recruitment notification inviting applications from SC/ST candidates on 31.03.2003, without considering the case of the petitioner for appointment. In those set of circumstances, the petitioner has filed the present writ petition challenging the Notification dated 31.03.2003 and this Court granted interim orders on 18.04.2003,

reserving one post. It is further contended that the petitioner is still continuing as a Part-time Lecturer and that this writ petition be allowed and the petitioner be absorbed in one of the vacancies that were notified way-back in 2003 and admit the petitioner into aided service.

4. The learned Government Pleader appearing for respondents has contended that the petitioner was not appointed in accordance with Rules and she is working only as a Part-time Lecturer and she is not entitled for absorption into aided service.

5. This Court, having considered the rival contentions of the parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent-College to submit proposals if the petitioner is working as on today, to the 1st respondent, and on receiving such proposals, the 1st respondent shall consider the same and pass appropriate orders in accordance with Rules.

6. With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

14th November, 2018

ajr