

HON' BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.18078 of 2001

ORDER:

This writ petition is filed by the petitioner to declare the notification dated 19.06.2001 issued by the 3rd respondent-College published in Deccan Chronicle in respect of the back log vacancy of Lecturer in Commerce as illegal, arbitrary and to nullify and to readvertise the same by following the law and the GOs. issued by the Government from time to time.

2. The petitioner, who applied for the above post in pursuance of the impugned notification, was unqualified and he allegedly belongs to S.C. community. It is his grievance that though G.O.Ms.No.208, dated 29.06.1999 prescribed 50%minimum in qualifying examination and the impugned notification was issued without granting any relaxations and constituting Selection Committee, without representative of the scheduled caste candidate. Challenging the said notification, this writ petition is filed.

3. In the counter-affidavits filed by the respondents, it is stated that pursuant to the notification, dated 19.06.2001, a Selection Committee was constituted as per the Government Orders, guidelines of G.O.Ms.No.119, dated 23.02.1991 and G.O.Ms.No.58 H.E.(CE.II) Department, dated 07.07.2001 and the members are 1. Director of Collegiate Education/ Director of Intermediate Education or his nominee, 2. Head of the Department/ Subject Expert, 3. One nominee of the concerned University, 4. Secretary & Correspondent of the college and 5. Principal of the college. The selection was done purely on merit and the selected candidates are more qualified

than the petitioner in the scheduled caste category. The candidates, who got more than 50% marks and the woman candidates, who got 54.8% was also selected through impugned notification. The Selection Committee considered the merits of the candidates and selection process was completed. Hence, the petitioner has no right to challenge the notification.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

5. The learned counsel for the petitioner vehemently reiterated the contentions in the affidavit filed in support of the writ petition, but, there is no force in the said contentions. Though counters filed by the respondents, there is no reply affidavit filed by the petitioner, denying the same.

6. In view of the above, this Court finds that no cause survives for adjudication in the writ petition.

7. Accordingly, the Writ Petition is dismissed as infructuous.

8. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE M. GANGA RAO

Date: 18.06.2018
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