

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22173 OF 2018

DATED :06.08.2018

Between :

A.Himabindu, D/o.A.Shankar Rao,
Aged about 29 yrs, R/o.H.No.2-1-23/155,
Indira Nagar, HMT Hills, JNTU, Kukatpally,
Hyderabad 500 072

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Petitioner

And

Telangana State Public Service Commission,
Rep., by its Secretary, Nampally,
Hyderabad & others.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22173 OF 2018

ORDER :

Heard learned counsel for the petitioner and learned Standing counsel for the Telangana State Public Service Commission.

2. This writ petition is filed praying to grant the following relief :

“... to declare the action of the 1st respondent in rejecting the petitioner selection to the post of TGT (Science) in Gurukul Residential Societies under the category of OC is illegal, arbitrary and against the Constitution of India under Article 14, 15 and 16 and consequently direct the authorities to select the petitioner as TGT (Science) in Gurukul Residential Societies on par with OCs duly consider the TET certificate in the year 2011 and to pass such other order or orders”

3. According to the petitioner, petitioner participated in the selections for the post of Trained Graduate Teacher (Science) of various educational institutions, in the state of Telangana, pursuant to the notification No.14/17, issued by the Telangana State Public Service Commission. According to the petitioner she passed B.Sc. Degree with optional subjects Microbiology, Botany and Chemistry and also passed M.Sc in Organic Chemistry. She passed Teacher Eligibility Test (TET) conducted in the year 2011 under BC-D category and secured 85 marks. She claims that as she belong to Gavara community, which is recognized as BC-D category, she should have been considered for appointment against the reserved vacancies by taking note of the marks secured by her in the 2011 TET.

4. The present recruitment notification is issued by the Telangana State Public Service Commission after formation of the State of Telangana. After the formation of State of Telangana, the caste of Gavara is deleted from BC-D category and it is no more a reserved category.

5. However, learned counsel for the petitioner sought to contend that the marks secured by petitioner in the year 2011 TET, cannot be ignored even if the caste ceases to be a reserved category.

6. Learned Standing counsel produced written instructions and contended that even if the marks secured by the petitioner in TET 2011 are computed, she is not eligible against the open competition vacancy.

7. According to learned Standing counsel petitioner is eligible for employment in Zone-VI. She secured 58.134 marks in written examination + TET. Whereas the last selected OC (W) candidate in Zone-VI secured 58.666. It is therefore, contended that even if the TET marks are added, petitioner is not coming within the selections against OC category and that petitioner cannot be treated as BC-D category candidate.

8. Having regard to these submissions which are not disputed, the relief as sought for in the writ petition cannot be granted.

9. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

6th August, 2018
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