

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29582 OF 2018

Date: 23.08.2018

Between:

J.Ashwini w/o. Santosh, (d/o. Hanumesha Shetty),
Aged about 31 years, r/o.H.No.1-31, Eshwar Temple
Street, Gudeballur, Krishna mandal, Mahabubnagar
District.

.....Petitioner

and

The State of Telangana, rep.by its Chief Secretary (GAD),
Telangana Secretariat at Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner responded to the Teachers recruitment notification No.53.2017, dated 21.10.2017 and competed to the post of Secondary Grade Teacher (SGT) in Kannada Medium. Petitioner claimed to have secured merit, and claims to be considered against the vacancy earmarked to be filled up by local candidates of Mahabubnagar district. Petitioner is aggrieved by the action of Public Service Commission in not treating her as local candidate of Mahabubnagar district though she has been residing in Mahabubnagar district since the year 2009 and challenges the same in this writ petition.

2. Learned counsel for petitioner places reliance on definition of local candidate incorporated in paragraph-7 of A.P.Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order 1975 (Presidential Order) to contend that as petitioner has been living in Mahabubnagar district since the year 2009, she should be treated as local candidate of that district.

3. Definition of 'local candidate' in paragraph-7 of the Presidential Order is very clear and specific. A person must study in an educational institution in a local area for a period of not less than four consecutive academic years leading to writing 10th Class examination to be treated as local candidate of that area. However, if there is a break in studies during this four years period, person has to establish that he/she has been residing in that local area consecutively for four years. The minimum educational

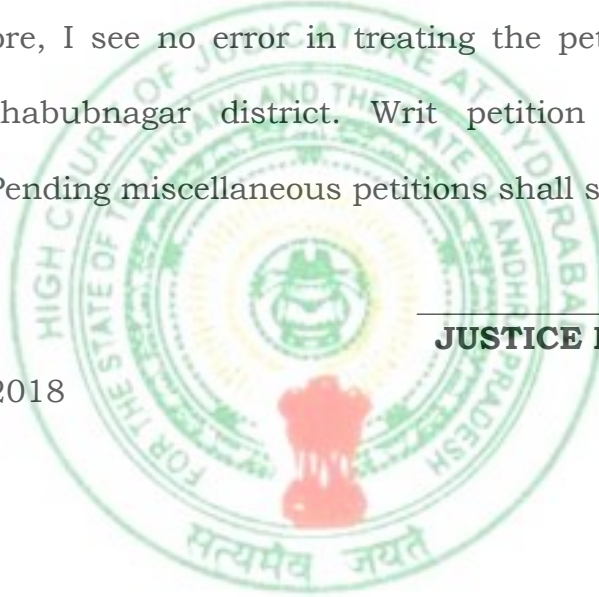
qualification, as mentioned in paragraph-7, is 10th Class, unless lower qualification is prescribed for any post.

4. In the case on hand, minimum educational qualification required to the posts notified is Graduation. Admittedly, petitioner studied up to Intermediate course in the State of Karnataka. Thus, as per the definition of 'local candidate' in paragraph-7 of Presidential Order, petitioner cannot be treated as local candidate of Mahabubnagar district merely because she has been living in Mahabubnagar district since the year 2009.

5. Therefore, I see no error in treating the petitioner as non-local of Mahabubnagar district. Writ petition is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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