

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.30152 OF 2018

DATED :27.08.2018

Between :

G.Nishanth Goud S/o.G.Ramesh,
Age : 24 yrs, Occu : Unemployee,
R/o.77/A, 78/4, Legend Residency,
Shankar Nagar, Shivalayam Temple,
Peerzadiguda, Ghatkesar Mandal,
Medchal Malkajgiri District,
HT.No.1756020420

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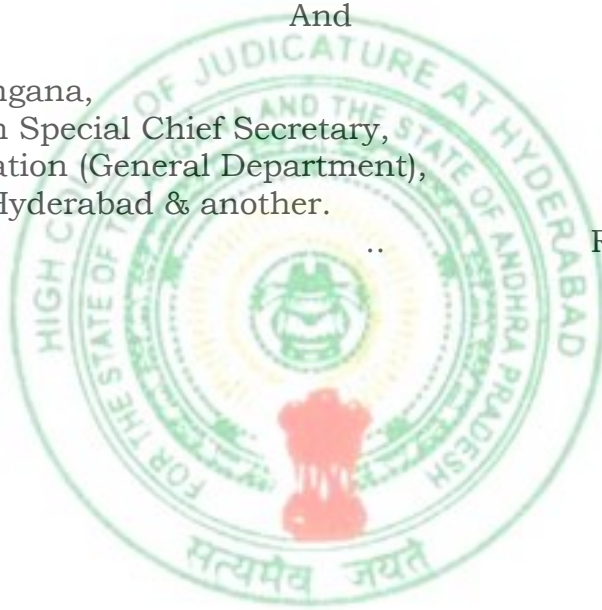
Petitioner

And

State of Telangana,
Rep., through Special Chief Secretary,
School Education (General Department),
Secretariat, Hyderabad & another.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

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

2. The Telangana State Public Service Commission issued notification No.56 of 2017 on 21.10.2017 calling for applications to fill up the posts of Physical Education Teacher in School Department. The notification listed out the posts as Physical Education Teacher in (Telugu) & (English). As per the qualification prescribed, a person who applies to the post of Physical Education Teacher (Telugu), should have studied the medium of instruction as Telugu up to Xth class or his first language should be in Telugu or he must have prosecuted as one of the languages in Intermediate and so on. According to petitioner, he is an English medium student, but his first language in Xth class was Telugu/Sanskrit. Since he fulfilled the qualification of having Telugu as first language in S.S.C., he ought to have been considered for the post of Physical Education Teacher (Telugu) but considering him against the post of Physical Education Teacher (English) is not valid in law.

3. According to learned counsel for the petitioner, in the posts of Physical Education Teacher (Telugu), in Karimnagar District, 35 were meant to be filled by O.C., category out of which 28 are reserved for locals and seven are open for all. Petitioner secured high merit and is eligible to be considered against these vacancies. But by treating him as a person belonging to English medium, his

application was not processed further and therefore, such action is illegal.

4. Learned counsel referred to relevant paragraphs of the recruitment notification and qualifications possessed by the petitioner.

5. *Per contra*, according to learned Standing Counsel, in the application form petitioner mentioned the post as Physical Education Teacher (English). The hall ticket issued to him discloses his application is to the post of Physical Education Teacher (English) and therefore, petitioner was treated as a person belonging to English medium and considered accordingly. Learned Standing counsel therefore, submits that it is not open to the petitioner to claim to treat him as a person competing for the post of Physical Education Teacher (Telugu) after selection process is completed.

6. It is seen from the application form submitted by the petitioner, against Column No.20 the post mentioned as PHYSICAL EDUCATION TEACHER. Against Column No.21 Medium as ENGLISH, and in Column No.22 Language/Medium of Study Qualification for Non-language subjects it is mentioned as **English** as Concerned medium. Accordingly, Hall ticket was also issued. Petitioner did not protest on the relevant entries in the application form or when he was issued hall ticket describing his application for the post of Physical Education Teacher (English).

7. Even to appreciate the contention of petitioner that what is shown in the application form or in the hall ticket is only on medium of instruction for prosecuting his Xth Class, in the S.S.C., certificate against first language it is mentioned as

Telugu/Sanskrit and in the intermediate petitioner prosecuted only Sanskrit as second language.

8. What is required by the notification is that candidate's medium of instruction should be in Telugu in Xth class or has studied the Telugu language as first language in Xth class or as Part-1 in intermediate or as a subject in Degree.

9. As noted above, the petitioner's medium of instruction was English and his first language in Xth was not exclusively Telugu, but was Telugu with Sanskrit. Therefore, it cannot be said that petitioner possessed the required qualification as per the notification.

10. Thus, there is no merit in the contention of the petitioner. The decision of the respondents treating the petitioner as an applicant to the post of Physical Education Teacher (English) cannot be faulted and the writ petition merits no consideration.

11. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

27th August, 2018
Rds

P.NAVEEN RAO,J