

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24527 OF 2017

Date: 25.01.2018

Between:

Ravikanth Sampat Rao S/o. S.Appa Rao,
Aged 36 years, presently working as Assistant
Executive Engineer, I & CAD Department (Zone-VI)
Government of Telangana, working on inter-state
Mutual deputation in Regional Vigilance and
Enforcement Office, Srikakulam, Srikakulam
District.

.....Petitioner

and

The Telangana Public Service Commission,
Rep.by its Secretary, Opp:Gruhakalpa Building,
M.J.Market Road, Nampally, Hyderabad and
another.

.....Respondents



The Court made the following:

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ORDER:

In response to the recruitment notification bearing Nos.15/2011 and 18/2011 issued by the A.P.Public Service Commission, when the State was combined, petitioner applied and participated in selection process. It appears this recruitment process was halted on account of bifurcation of the State. In pursuant to the orders of the Supreme Court in Civil Appeal No.9140 of 2013, recruitment exercise was revised and vide order dated 19.07.2017, petitioner was informed that his candidature cannot be considered for the reasons mentioned therein. Aggrieved by the said decision, this writ petition is filed.

2. By order, dated 25.07.2017 made in WPMP No.30375 of 2017, respondents were directed to permit the petitioner to appear for the Personality Assessment Test (Interview) for Group-I Services (Limited & General Recruitment) Notification Nos.15/2011 and 18/2011, scheduled to be held from 24.07.2017 to 10.08.2017. Learned standing counsel informs the Court that in pursuant to the said interim order, petitioner was subjected to further selection process.

3. Learned counsel for petitioner submits that three reasons assigned in the order, holding him as disentitled to participate in the selection process, are not applicable to him and, therefore, order is not sustainable in law.

4. The three reasons assigned are; 1) the candidates who have not attended all the six papers in the written examination already conducted, 2) candidates, who failed to attend the verification of certificates/ failed to submit required certificates; and 3) the candidates, who have not paid requisite fee.

5. Learned counsel for petitioner points out that petitioner appeared in six papers, attended verification of certificates and has paid requisite fee.

6. Learned standing counsel fairly submits that these parameters are not attracted to the petitioner and since petitioner was already subjected to selection process pursuant to the interim orders, the cause in the writ petition does not survive.

7. Before disposing of the writ petition, it is also appropriate to note that in the counter-affidavit, it was contended that petitioner belongs to Kalinga Caste and Kalinga Caste is not recognized as Backward Class in the State of Telangana. In response to the said contention, learned counsel for petitioner sought to submit that petitioner was born in the State of Telangana and is employed in the State of Telangana and, therefore, he is to be treated as person belonging to the State of Telangana and further recruitment notification is of the year 2011, whereas Kalinga caste is deleted from the list of Backward Classes only in the year 2014 and, therefore, based on the Government orders issued in the year 2014, existing caste certificate and social status of petitioner cannot be ignored.

8. However, Court is not inclined to go into that issue inasmuch as in the order impugned that reason is not assigned. Therefore, leaving it open to the petitioner to contest the said stand of respondents as and when respondents intimate the petitioner about the social status of the petitioner, Writ Petition is disposed of duly taking note of the fact that the three conditions mentioned in the order impugned are not applicable to petitioner and that as per interim order petitioner was subjected to selection process.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

Date: 25.01.2018
kkm

JUSTICE P.NAVEEN RAO



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