

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.33630 OF 2018

DATED :18.09.2018

Between :

Dr.T.Khaja Rahamatulla S/o.Pedda Kajavalli,
Aged about 54 yrs, Occu : School Assistant,
Andhra University High School,
R/o.Opp : Outgate, A.U.Quarters,
China Waltair, Visakhapatnam District.

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Petitioner

And

The State of Andhra Pradesh,
rep., by its Principal Secretary,
Higher Education (UE) Department,
I/o.Secretariat Buildings, Velagapudi,
Guntur District, Andhra Pradesh & another.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Education and Sri K.Jyothi Prasad, learned Standing counsel appearing for the Andhra University.

2. On 06.01.2018, the Andhra University-2nd respondent issued notification calling for applications from eligible candidates to participate in the selections to the post of Assistant Professor in various disciplines of Indian Medicine. Petitioner responded to the said notification and participated in the screening test. After the screening test result, the respondent-University is now undertaking the next stage i.e., selection process. At this stage, this writ petition is filed contending that as per the proceedings of the Principal Secretary to Government dated 20.12.2013, the claim of petitioner for absorption should be considered in any teaching position in the Department of Education/Psychology and Psychology/Yoga.

3. A reading of the letter dated 20.12.2013 would show that based on a representation submitted by the petitioner for absorption in a teaching position, the matter was examined by the Government and the Registrar of the University was requested to take necessary action to fill up the vacant post of Assistant Professor in any of the departments mentioned above by duly constituting the selection committee by considering the candidature of petitioner.

4. As noted above, the recruitment notification was issued on 06.01.2018 to fill up various posts and petitioner participated in the selections in pursuant to the said recruitment notification. The said recruitment notification is not under challenge in this writ petition. But petitioner seeks implementation of the letter written by the Government on 20.12.2013 to absorb him and now objecting for conducting of interview scheduled to be held with effect from 18.09.2018. However, by way of interim relief, petitioner is seeking direction to allow him to participate in the selection process.

5. The very fact that petitioner is not called for interview would show that he was not qualified in the qualifying examination. According to selection procedure as indicated in the recruitment notification, online screening test was conducted which would carry negative marks and also prescribes minimum qualifying marks to be secured by various categories of persons. Based on the performance in the screening test the candidates are called for oral interview. Petitioner has not placed before this Court any material to show that even though he is qualified, he was not called for interview process.

6. As the recruitment notification is not under challenge and the present interview process is in pursuant to the said recruitment notification, merely because a request was made by the Government to the Registrar of the respondent University to consider the claim of petitioner for absorption cannot be a ground to subject the petitioner to interview process by way of interim relief and to scuttle the selection process until the

petitioner is absorbed as prayed in the main relief. Therefore, I see no merit in the writ petition and the same is liable to be dismissed.

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

18th September, 2018
Rds

P.NAVEEN RAO,J

