

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITON No. 12866 of 2010

ORDER:

The present writ petition is filed seeking *Certiorari* calling for records pertaining to the selections of Lower Division Clerks (LDC) pursuant to the notification No.22/2007, dated 29.07.2007 and to declare that the selections made are illegal, irregular and against the rules prescribed and consequently to set aside the selections with a direction to make re-selections.

2. It is the case of the petitioner that the respondent-university had issued a recruitment notification No.22/2007, dated 18-24.08.2007 calling for applications for teaching and non-teaching posts and that in respect of LDC, in all five posts were advertised out of which one post was reserved for Scheduled Caste (SC) category and one for Scheduled Tribes (ST) category and three for Other Backward Classes (OBCs). As the petitioner was fully eligible and qualified, she applied for LDC post under OBC category. The petitioner has received a communication from the respondent-University to appear for typewriting test and interview scheduled to be held on 03.04.2008. Thereafter, the respondent-university prepared a list containing the names of the candidates appeared for typewriting test

and interview for LDC, wherein the name of the petitioner was placed at serial No.18. Since so far no communication is received from the respondent-university, the petitioner has submitted several representations to the respondent-university to declare the result pertaining to the notification No.22/2007. But the respondent did not publish the same. Subsequently, she came to know that respondent Nos. 2 to 5, who belong to OBC category were appointed as LDCs. Aggrieved by the same, the present writ petition is filed.

3. Heard Sri S.R.Sanku, learned counsel for the Petitioner and Sri K.Ramakanth Reddy, learned Standing Counsel for respondent-University and Sri Srinivasa Rao Velivela, learned counsel appearing for respondent No.6.

4. Learned counsel for the petitioner would submit that though the notification clearly states that out of the five LDC posts, two posts were earmarked for SC and ST candidates each and the remaining three posts have to be filled up by OBC candidates only but the respondent - university filled up three posts with respondent Nos.2 to 5, who belong to OBC category and that the respondent-university ought to have considered the candidature of the petitioner as she also belongs to OBC category.

5. The 1st respondent-University filed a counter denying all the material allegations and *inter alia* contending that the University reserves the right to increase/decrease the number of posts and accordingly, though the university notified for five LDC posts, filled up six vacancies and the sixth post was filled up with OBC category candidate. At paragraph-4 of the counter, it is specifically stated that as per the recommendations of the Selection Committee and after the approval of the Competent Authority, the SC category post was filled up with Sri B.Sharad Chandra and ST category post was filled up with Ms.Anitha Rathod and another three posts were filled by OBC category candidates and hence, the university is justified in filling the vacancies.

6. Perused the material on record.

7. A perusal of the above said contention raised in the counter would make it clear that there is no force in the allegations made by the petitioner and the respondent -university has rightly filled up the posts pursuant to the notification dated 18-24/08.2007 and there is no irregularity or illegality calling for interference of this Court.

8. Accordingly, the writ petition is dismissed. No costs.

9. Miscellaneous Petitions, if any, pending in this writ Petition shall stand closed.

4th September, 2018
Mj/l/*

ABHINAND KUMAR SHAVILI, J



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WRIT PETITON No. 12866 of 2010



04.09.2018

Mj/ *