

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

Writ Petition No.39504 of 2018

ORDER:

This writ petition is filed seeking a writ of mandamus declaring that the petitioners are entitled for sanction of notional increments from the date of their first appointment till they acquire Trainee qualification in terms of the Government Orders issued in G.O.Ms.No.223 dated 01.07.1989 with all consequential benefits by holding the action of the respondents in not extending the benefits of the aforesaid G.O to the petitioners, without any justification or reasonable cause, on the untenable ground of correspondence between the respondents as is evident from the proceedings dated 07.01.2018 of the 3rd respondent as arbitrary and illegal.

Heard Sri A.Tirupathi Goud, learned counsel for the petitioner and learned Government Pleader for Services-I.

It has been contended by the petitioners that they were appointed as Secondary Grade Teachers in the S.C, S.T and backlog vacancies and while they were working as Secondary Grade Teachers, the State Government had issued G.O.Ms.No.223 dated 01.07.1989 directing that the existing qualification prescribed under the relevant rules (i.e Teacher Training Certificate) for recruitment to the posts of Secondary Grade Teachers/Special Teachers shall be relaxed in favour of Scheduled Caste and Scheduled Tribe candidates, where qualified S.C and S.T candidates are not available, subject to the condition that they shall acquire the required training qualification within a period of two years. In the case of the petitioners, the qualification was relaxed and, subsequently, they have acquired the qualification. The grievance of the petitioners is that they are not being paid notional increments. Challenging the same, the petitioners

have filed O.A.No.1886 of 2010 before the A.P. Administrative Tribunal and the said O.A was allowed on 06.09.2011. However, the respondents have not implemented the orders passed by the Tribunal. It has been further contended by the petitioners that since the Tribunal for the State of Telangana has been abolished, the 3rd respondent has submitted a proposal to the 1st respondent on 07.01.2018 in this regard, but so far the 1st respondent has not passed any orders on the said proposal.

Learned counsel for the petitioner contends that appropriate directions be given to the 1st respondent to pass orders on the proposal submitted by the 3rd respondent on 07.01.2018.

Learned Government Pleader for Services-I submits that the 1st respondent will consider the proposal submitted by the 3rd respondent and pass appropriate orders.

This Court, having considered the rival submissions made by the parties, is of the view that this writ petition can be disposed of directing the 1st respondent to pass appropriate orders on the proposal submitted by the 3rd respondent on 07.01.2018 within a period of four weeks from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

02nd November, 2018
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Date: 02.11.2018

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